

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Standards Committee held at Knowle, Sidmouth on 10 October 2006

Present:	Dr J A Rees (Chairman)	Independent
	Cllr P Bowden	Parish Representative
	Mr E Butt	Independent
	Cllr G P Chamberlain	East Devon District Council
	Cllr Mrs A E Liverton	East Devon District Council
	Cllr C Pole-Carew	Parish Representative
	Cllr Mrs L A Roden	East Devon District Council

Apologies: Councillors:

Cllr Lt Col A J M Drake
Mrs J A Durrant
Cllr S P Pollentine

The meeting started at 10.00am and ended at 11.40am

*1 **Election of Chairman**

Dr J A Rees was proposed and seconded as Chairman of the Committee for the ensuing year.

RESOLVED that Dr J A Rees be elected Chairman of the Standards Committee for the ensuing year.

*2 **Minutes**

The minutes of the meeting of the Standards Committee held on 7 March 2006, were confirmed as a true record subject to the deletion of the word 'to' on the second line of the second paragraph in minute number 9.

*3 **The Relevant Authorities (Standards Committee) (amendment) Regulations 2006**

Consideration was given to the report of the Senior Solicitor with regard to the above new regulations. The regulations, which came into force on 1 March 2006, made amendments to Part 5A (access to meetings and documents) and Schedule 12A (access to information: exempt information) of the Local Government Act 1972 relating to hearings of Standards Committees. Previously, regulations did not apply directly to Standards Committees or their sub committees.

The Corporate Director – Central Services explained that regulations had been in force since 1972 allowing the Council to consider matters without members of the public or press being present. The new Order simplified and clarified the reasons why an issue should be dealt with in this way, it also made reference to the Freedom of Information Act 2000.

*3 **The Relevant Authorities (Standards Committee) (amendment) Regulations 2006** (Cont.)

Members were advised that Regulation 7 of the Relevant Authorities Regulations passed in 2001 related to the procedure for investigating a written allegation to the Standards Board for England. The Relevant Authorities Regulations 2006 added further descriptions of exempt information, which could be applied when a meeting of the Standards Committee was convened to discuss a matter referred to it under the provisions of the Local Government Act 2000. However, although the regulations provided the Committee with the authority to hold meetings in given circumstances without the public or press present, the presumption would be that all meetings and hearings would be held in public unless the public interest in maintaining information as exempt outweighed the public interest in disclosing the information.

RECOMMENDED that the Relevant Authorities (Standards Committee) (Amendment) Regulations 2006 and their application to Standards Committee procedures be noted and the Council's constitution amended accordingly.

*4 **Members' use of Council provided computer resources**

Consideration was given to the joint report of the Head of Legal and Member Services and the Monitoring Officer regarding the use made of Council provided computers by Members. Most Councillors had been given computers and a broadband connection by the Council, for use on Council business. Some Members had questioned exactly what they were allowed to use the equipment for. Current policies and protocols limited use to that related to Council business. This meant that Members would need to have a separate computer and broadband connection should they want one for private use. The Committee noted that this would be impractical for most Members and that the boundary between Council and private use was not always clear. As Members had to provide their own computer consumables, such as paper and ink, any private use would not incur a cost for the Council but this would not necessarily be the public perception. The committee felt that members of the public would not look favourably on a Member using a Council owned computer to run their own business or political campaign.

RECOMMENDED that the Council protocol with regard to Members use of computer equipment be revised as follows (changes shown in bold):

“The Council provides all members with services such as typing, printing and photocopying, and goods such as stationery and computer equipment, to assist them in discharging their roles as members of the Council. These goods and services are paid for from the public purse. They should not be used **for or in connection with political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Council or of the office to which the Member has been elected or appointed. Council resources must not be used under any circumstances for political campaigning activities or business use.**

Reasonable personal use of computer hardware and software is allowed provided it does not conflict with this protocol, the conditions under which council computers are supplied and maintained, and is not used in any way which could conflict with the interests of the Council.”

***5 Member development and training**

Consideration was given to the joint report of the Member Services Manager and the Head of Legal and Member Services with regard to the level of training undertaken by Members. The figures provided were separated into figures for general training, training on regulatory committees and the recent training on the Code of Conduct. Members noted that although training was very important Members could not be forced to undertake it. It was suggested that it would be useful to know how many District Council Members had received Code of Conduct training.

Discussion took place on the level of training received by Town and Parish Councillors. Members were advised that the Chief Executive, Monitoring Officer, Head of Legal and Member Services and representatives of the Planning section visited Town and Parish Councils to provide training and advice on various topics. It was suggested that Town and Parish Councillors were often very dependent on their Clerks for guidance on Code of Conduct issues. Clerks were usually either trained by their Chairman or by the Devon Association of Parish Councils and were also welcome to attend District Council training sessions.

RESOLVED

1. that dates for training sessions for Town and Parish Councillors and Clerks be scheduled in advance and all Clerks be advised of the dates, including new Clerks when they start;
2. that Parish and Town Councils be advised of the dates of Development Control Committees and encouraged to attend to gain experience on what matters the Committee has to take into consideration when considering a planning application;
3. that Standards Committee members be advised of the percentage of District Councillors who have attended training on the Code of Conduct.

***6 Local investigation update**

The Monitoring Officer updated Members on the progress made on a referral received from the Standards Board for England for investigation. The investigation had taken longer than expected as the subject member had been difficult to contact.

Members were advised that once the investigation was complete, the Standards Committee would meet to either accept or reject the Investigating Officer's findings and would either, agree to hold a hearing, or agree that a hearing was not necessary. A date for the meeting would be set in due course.

***7 Date of next meeting**

Members noted that the next scheduled meeting would be held on Tuesday 20 March 2007.

Chairman Date.....