

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Standards Committee held at Knowle, Sidmouth on 31 January 2007

Present:	Dr J A Rees (Chairman)	Independent member
	Cllr P Bowden	Parish Representative
	Mr E Butt	Independent member
	Cllr G P Chamberlain	EDDC Councillor
	Mrs J A Durrant	Independent member
	Cllr S P Pollentine	Parish Representative
	Cllr Mrs L A Roden	EDDC Councillor
Apologies:	Cllr Lt Col A J M Drake	EDDC Councillor
	Cllr Mrs A E Liverton	EDDC Councillor
	Cllr C Pole Carew	Parish Representative

The meeting started at 10.00am and ended at 10.55am

*8 **Minutes**

The minutes of the meeting of the Standards Committee held on 10 October 2006, were confirmed and signed as a true record.

*9 **Exclusion of the Public**

RESOLVED that the classification given to the documents to be submitted to the Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

*10 **Code of Conduct hearings – sub committee arrangements**

Consideration was given to the report of the Head of Legal and Member Services outlining the options available to the Committee with regard to arrangements for meetings of the Sub Committees. One option was for the Committee to appoint a permanent membership for the Standards Sub Committee and the Standards (Parish Councils) Sub Committee. The second option was for the Head of Legal and Member Service to be given delegated power to call on three members to sit on a Sub Committee as and when required.

Members considered that the first option would restrict the amount of experience gained by some members and could result in an uneven spread of work load. The second option was preferred as it was more flexible. In addition Members felt that in reality, given the closeness of East Devon communities, there was a high likelihood that any permanent member chosen could have a connection with a key person at a hearing which might (depending on the circumstances) result in their standing down. This member would then be replaced by a substitute member which would in effect mean the following of the second option by default.

*10 **Code of Conduct hearings – sub committee arrangements (Cont.)**

RESOLVED that the Head of Legal and Member Services be given delegated authority to empanel three members of the Standards Committee for each of the Standards Sub Committee and the Standards (Parish Councils) Sub Committee, as and when required, each comprising an independent member as Chairman, a parish representative and a District Councillor

*11 **Exclusion of the Public**

RESOLVED That under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the report, is likely to be disclosed, and on balance the public interest is in discussing this item in private session (Part B).

*12 **Local Investigation Final Report – to be considered at a later date by the Standards (Parish Councils) Sub Committee**

Consideration was given to the report of the Monitoring Officer with regard to an accompanying Final Report into a complaint made against a Parish Councillor. The Final Report was attached to show members the format of future reports. Members were advised that the Final Report attached would be the subject of a Standards (Parish Councils) Sub Committee meeting to take place on 13 March 2007. Volunteers to sit on this Sub Committee were requested.

RESOLVED that the Standards (Parish Councils) Sub Committee to meet on 13 March 2007 comprise Mr E Butt as Chairman, Cllr S P Pollentine and Cllr G P Chamberlain.

13 **Items discussed with the permission of the Chairman**

Before the close of the meeting the Chairman allowed the following two matters to be discussed.

South West Independent Members of the Standards Committees Group

Independent members of the Committee had been invited to attend a meeting of the above group on 2 March 2007 in Bristol. Mr Butt, Dr Rees and Mrs Durrant agreed to attend the meeting and to come to an arrangement over car sharing.

Dr Rees advised members that whilst at the Annual Standards Board Conference in Birmingham he had attended a meeting of a body attempting to establish a national independent members group. Although the body had received support from the Standards Board the meeting had not been successful.

Revision of the Code of Conduct

The Head of Legal and Member Services advised members that representations were still being requested on the new draft Code of Conduct. The representation period ended in March 2007 and the Government hoped that the new Code would be available in time for the elections in May 2007. She also outlined the legislative changes to the role of Standards Committees that were contained in the Local Government and Public Involvement in Health Bill.

13 **Items discussed with the permission of the Chairman** (Cont.)

Members were advised of some of the proposed amendments which included the removal of the obligation for Councillors to report fellow Councillors for a breach of the Code, the addition of 'close personal associates' to the list of relationships and the addition of new obligations such as the obligation not to bully and not to intimidate anyone involved in proceedings under the Code.

Discussion took place on when Councillors should be made aware of the existence of the Code of Conduct.

RESOLVED that the Head of Legal and Member Services, in consultation with the Chairman of the Standards Committee, make representation to the Government with regard to the proposed changes to the Code of Conduct.

RECOMMENDED that prospective Councillors be made aware of the existence of the Code of Conduct as early as possible in the election process.

Chairman Date.....