

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Standards Committee held at Knowle, Sidmouth on 18 March 2008

Present:	Mr E Butt Cllr P Bowden Cllr G P Chamberlain Cllr P Diviani Cllr Mrs A E Liverton Cllr S P Pollentine	Independent member EDDC Councillor EDDC Councillor EDDC Councillor EDDC Councillor Parish representative
Also Present as observers	*Mr R Davison *Cllr C Richards *Cllr Mrs K Tomkins	Independent Parish Parish
Officers	Rachel Pocock Diana Vernon	Head of Legal, Licensing and Democratic Services Democratic Services Manager
Apology	Cllr C Pole Carew	Parish representative

* Mr Davison, Cllr Richards and Cllr Mrs Tomkins had been invited to attend the meeting as members of the public. Their appointment, following interviews last month, would be reported to the Annual Meeting of the Council in May for confirmation. When approved they would be invited to serve on the Standards Committee.

The meeting started at 10.00 am and ended at 11.25 am

***9 Chairman for the meeting**

Mr E Butt, as the only independent member on the Committee, chaired the meeting.

***10 Minutes**

The minutes of the meeting of the Standards Committee held on 16 October 2007, were confirmed and signed as a true record.

***11 Committee membership**

Members were aware of the interviews which had taken place last month to replace Dr Rees and Mrs Durrant (Independent Members) who had served on the Committee for 6 years in January 2008 (initially for 3 years with extension of the term of office having been agreed by the Council). Interviews were also carried out to appoint a third Parish representative to replace Councillor Bowden who was now an elected District Council representative and to replace Councillor Pole-Carew who had indicated at the last meeting that he wished to stand down from the Committee in May.

Mr Davison, Cllr Richards and Cllr Mrs Tomkins were welcomed and introductions made.

***12 Member Development 2007/08**

Members considered the report of the Democratic Services Manager setting out the development programme for Councillors since the May 2007 elections and the action taken to progress Member development including the adopted Strategy, setting up a Working Group and proposed piloting of Individual Councillor Reviews.

The Standards Committee had asked particularly for this report to be presented as an update to check training of Members elected onto regulatory and quasi-judicial committees.

Members noted the level of attendance at the various courses and emphasised the need to use councillor expertise. Whenever possible, development opportunities were timetabled in the evenings to accommodate the needs of working Councillors. The Portfolio Holder – Resources was sent details of all conferences and seminars and if the expenditure was felt appropriate, advised which Councillors should be invited to attend.

The Democratic Services Manager confirmed that she explored a range of learning opportunities including paper based workbooks and on-line learning modules. In addition the Knowledge weekly newsletter was a useful means of keeping Members up-to-date and providing links to helpful and relevant websites.

RESOLVED that the 2007/08 Member Development Schedule, the Member Development Strategy and the introduction of personal development reviews for Councillors be noted.

***13 Estimated costs of investigations undertaken during the year**

The Head of Legal, Licensing and Democratic Services advised that £5,000 had been used for out-sourced investigations in 2007/08 with other costs being borne in-house. Details of in-house costs would be referred to a future meeting of the Committee.

***14 Local Assessment**

The Head of Legal, Licensing and Democratic Services advised that there was a need to put new procedures in place to meet changes to the way complaints were to be dealt with under the Local Government and Public Involvement in Health Act 2007. Regulations were yet to be published and guidelines made available. When the changes were in place, all complaints of breach of the Code of Conduct would be referred, in the first instance, to Councils' Standards Committees for initial assessment.

The Standards Committee would be required to do one of the following:

- Refer the allegation to the Monitoring Officer for consideration
- Refer the allegation to the Standards Board for England
- Take no action in respect of the complaint

The Act required Standards Committees to be chaired by an independent member of the Committee. In order to cope with the anticipated workload, the Committee would need to meet regularly. It was suggested that a number of independently chaired Sub-Committees, should be set up to consider complaints and deal with the investigation process. Although a Parish Councillor only needed to sit on those Sub-Committees dealing with Parish/Town Council complaints, it was felt appropriate for balance and to gain experience for the Sub-Committees to comprise an independent (chair), a district councillor and a parish councillor.

***14 Local Assessment (cont)..**

It was also suggested that the Council may wish to set up joint Committees with neighbouring authorities to initially sift the complaints received. This would have the advantage of sharing the workload and cost but the possible disadvantage of losing local knowledge. If joint working was established, the Committee would wish to see the same standard of expertise, service and officer guidance as currently provided by this Council.

Another significant advantage of all complaints being referred in the first instance to the district Council was that the Monitoring Officer and Standards Committee would have the opportunity to possibly sort out issues at local level through mediation and informal action.

Training would be arranged for the Committee as soon as the regulations were made available. The Head of Legal, Licensing and Democratic Services advised that she hoped to arrange training on behalf of all authorities in Devon.

A three to four fold increase in workload for the Standards Committee was anticipated to deal with the sieving and reviewing of complaints and if appropriate dealing with hearings. The Standards Board for England was encouraging Councils to widely publicise the process and as a result there was likely to be an increase in complaints received.

- RESOLVED**
- (1) that the Council be recommended to replace the current Standards Sub-Committees with a Local Assessment and Hearings Sub-Committee and a Review Sub-Committee, whose Members shall be drawn from the Standards Committee as and when required, the introduction of the Sub-Committees, together with operational procedures, being delegated to the Head of Legal, Licensing and Democratic Services (together with authority to make the necessary constitutional changes) once the detail of Local Assessment Regulations is known,
 - (2) that the Head of Legal, Licensing and Democratic Services investigate the possibility of setting up a joint standards committee with one or more other local neighbouring authorities,
 - (3) that the position be monitored 6 months after implementation in respect of work-load, costs and adopted procedures.

***15 Declarations of Interest**

In reply to concerns raised by a Member of the Committee, the Head of Legal, Licensing and Democratic Services confirmed that the Register of Interest forms completed by all Councillors complied with Central Government requirements and had been up-dated since the most recent amendments to the Code of Conduct. Councillors were also required to comply with the Code of Conduct which was there to make sure all Councillors met the necessary standards of public life. A reminder was sent out annually to Members reminding them to keep the Register of Interests up-to-date. The Head of Legal, Licensing and Democratic Services would be running a follow-up session on the new Code for all members.

*16 **Date of next meeting**

Members noted that the next scheduled meeting of the Standards Committee would take place on Tuesday, 14 October 2008 at 10 am, but a meeting might be necessary before this to make further recommendations and preparations in relation to local assessment. The agenda would include an item on Parish Council training and would up-date Members on the in-house costs of investigations.

Chairman Date.....