

STANDARDS COMMITTEE

—Minutes—

31 JANUARY 2006

Present:

Mr. Steven Moussavi (Chair)
Mr. Christopher Troke
Mrs Grace Moody-Stuart
Councillor Chris Allen

Officers in attendance:

Michael Cogher, Head of Legal Services
Lesley Courcouf, Monitoring Officer
Peter Savage, ACE (Policy and Partnerships)
Richard Leigh, Committee Co-ordinator

ITEM		ACTION
Item 1	<u>APOLOGIES FOR ABSENCE</u>	
Item 1.1	Apologies for absence were received from Councillor Colin Aherne and Councillor Nicholas Botterill	
Item 2	<u>MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE HELD ON 5 OCTOBER 2005</u>	
Item 2.1	<u>RESOLVED - to agree and sign the minutes as an accurate record.</u>	

MATTERS ARISING

NB: In response to the discussion in connection with Matters Arising, the Head of Legal Services undertook to organise training for members of the Standards Committee, to take place shortly after the Annual Council Meeting on 24 May, as the names of the councillors serving on the Committee would not be known until then. He agreed also to provide informal training for Mrs Moody-Stuart, who had recently become a member.

MC

ACE(P&P) undertook to bring the detailed work programme to the Committee at its meeting on 4 April. Mrs Moody-Stuart observed that this would provide a useful framework for the

annual report which independent members now had to provide to the Standards Board for England. It was agreed that the independent members would be involved in the post-election induction process.

PS to note

The Committee agreed that in future a separate action-sheet should be produced following each meeting of the Committee, to enable members to follow progress more easily. They also agreed that the names of officers present should be included in the minutes.

RL/JC to note

Item 3 **DECLARATIONS OF INTEREST**

Item 3.1 There were no declarations of interest made by members of the Committee at this meeting.

Item 4 **PLANNING AND LICENSING GUIDANCE FOR MEMBERS - LOCAL PROTOCOL**

Item 4.1 The Committee agreed that this report should be revised, to take account of the following points, and presented to the Committee again at its meeting on 4 April.

- (a) It had been the practice of the previous Monitoring Officer to agree that planning applications from Councillors which were entirely uncontentious should be determined by Planning Officers under delegated powers.
- (b) If a decision on such an application was in any way inconsistent with the Unitary development Plan, Planning Officers must be able to justify this inconsistency to the satisfaction of the Monitoring Officer.
- (c) A councillor with a prejudicial interest in an application may NOT attend the meeting in a personal capacity.
- (d) In paragraph 17, "objectors" should read "anyone making representations"; and to ".....by both the applicant and any objectors at the hearing" should be added "or in writing beforehand".
- (e) In paragraph 18: "A Ward Councillor may NOT attend a hearing as an objector in their own right."
- (f) In paragraph 25 for "objectors" substitute "anyone making representations"; also, the last sentence is unclear: there is NO general right of audience.
- (g) In paragraph 38, (a) is incorrect - see correction to paragraph 18, above.
- (h) In paragraph 40, the names of the officers should be omitted.

MC to note and action

Item 5 "STANDARDS OF CONDUCT IN ENGLISH LOCAL GOVERNMENT: THE FUTURE" - ODPM DISCUSSION PAPER

Item 5.1 Councillor Allen expressed reservations about the Standards Committee both assessing the need for an investigation and also carrying it out. The Monitoring Officer pointed out that paragraphs 12 and 13 on page 25 of the discussion paper indicated the view of the Standards Board on this issue. She also said that it was part of her responsibility to press for local mediation where this was considered feasible. It was her view that some of the cases reported in the discussion paper could have been dealt with more effectively at local level.

Mrs Moody-Stuart asked for information on how other councils arrange the process of mediation.

**JC/RL to
action**

Item 6. STANDARDS BOARD FOR ENGLAND DVD: "GOING LOCAL - INVESTIGATIONS AND HEARINGS"

Item 6.1 The DVD, recently produced by the Standards Board, dealt with the processes of investigation and that of the Panel hearing. Members agreed that the coverage of the latter was not adequate. It was not clear, for example, whether the Panel ought to give consideration to the different strands of an allegation one at a time or together, nor how it was to determine the appropriate sanctions.

NB: Mr Troke asked for clarification on the length of time for which an independent member could serve. It was thought that this might be four years. The Head of Legal Services undertook to check this and report back to the Committee at its meeting on 4 April.

**MC to
action**

Two recent documents from the Standards Board for England were circulated to members: Bulletin 27, and a letter dated 11 January 2006 on "proposed changes to the framework governing standards of conduct."

Meeting began 7:00 pm

Meeting ended 8:40 pm

CHAIR.....