



Minutes of the meeting of the STANDARDS COMMITTEE held on MONDAY 12 JANUARY 2004 at 6.00 pm

Present: Mr M Barry, Councillor Crooks, Mr C Fogden, Councillor, Geary and Ms E Watson

Officers: M Jones (Head of Legal and Property Services) and S Heap (Democratic Services Manager)

Apology: Councillor Hardwick

ST01 ELECTION OF CHAIR

RESOLVED –

That Mr C Fogden be elected Chair of the Committee for the Council year 2003/04.

ST02 APPOINTMENT OF VICE-CHAIR

RESOLVED –

That Ms E Watson be appointed Vice-Chair of the Committee for the Council year 2003/04.

ST03 MINUTES

RESOLVED -

That the Minutes of the meeting held on 3 December 2002, be approved and signed by the Chair as a correct record.

ST04 CODE OF CONDUCT FOR MEMBERS – DRAFT SECTION 66 PROCEDURES (INCLUDING TIMETABLE FOR ACTIVITIES)

The Committee considered a draft procedure for dealing with cases referred to the Council by Ethical Standards Officers of the Standards Board for England for local determination.

The Committee particularly noted the advice of the Standards Board that the Committee should carry out extensive pre-hearing procedures in preparation for the hearing in order that the hearing would run as smoothly as possible and avoid any delay once the hearing was convened. The Committee recognised that preparation was important and any resolution of the complaint agreed as part of

the pre-hearing preparation could be taken account of as part of the hearing and the subsequent decision.

The Committee noted that if a case was referred, that the Committee had to conduct a hearing.

The Committee also noted that it was the advice of the Standards Board that the Committee should establish a Sub-Committee to hear individual cases, rather than the whole Committee conducting hearings.

The Committee addressed how best to conduct training for members who were to sit on a hearing.

The Committee also considered a model timetable for hearings to be undertaken by the Committee, recognising that hearings could potentially prove to be lengthy with the independent members potentially suffering a considerable loss of income. It was reported that this issue had been addressed by the independent panel on Members allowances, which had recommended an allowance for independent members of the Committee. However, the Council had decided to not accept the report of the independent panel, deciding instead to adopt its existing scheme of allowances, which made no provision for independent members of the Standards Committee.

RESOLVED –

1. That the Procedure for Local Standards Hearings be adopted as an interim procedure, subject to the Head of Legal and Property Services:
 - (a) amending Section 2 to reflect the views of the Committee that the procedure should provide the opportunity for conciliation which could then be taken into account as part of the hearing and in the subsequent decision; and
 - (b) adding an additional clause stipulating that there should be no informal communication concerning the complaint between the Committee and the parties involved prior to the hearing.
2. That Members of the Council and Parish Councils be invited to submit comments on the interim procedure for consideration by the Committee.
3. That a sub-committee of three members be set up to deal with cases referred for local determination by an Ethical Standards Officer of the Standards Board for England.
4. That the Sub-Committee consist of two independent members of the Committee, of whom one should be a parish representative if the subject matter of the Sub-Committee's deliberations concerns a parish councillor or other parish

issues, and a third from the same political party as the subject of the referral.

5. That if the subject of the referral is not a representative of a political party the third member will be chosen at random by the Head of Democratic Services.
6. That training and a briefing be provided for the Sub-Committee prior to each hearing it is to conduct.

STO5

PUBLICITY PROTOCOL

The Committee considered a draft protocol for dealing with publicity issues related to cases referred to the Standards Board for England.

The Committee noted that the Chair of the Committee would be the focus for media queries if the protocol was adopted.

RESOLVED –

That the draft publicity protocol be adopted as an interim protocol , subject to Members of the Council and Parish Councils be invited to submit comments on the interim protocol for consideration by the Committee.

THE CHAIR CLOSED THE MEETING AT 7.25 PM