

**MINUTES OF THE STANDARDS COMMITTEE  
MONDAY, 7 JULY 2014**

MEMBERS:	Councillors Rice (Chair), Weston and Morris
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Apologies                      Councillor C Bull

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>
<b>STCO93.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>An apology for absence was received from Councillor C Bull.</p> <p><b>NOTED</b></p>
<b>STCO94.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p> <p><b>NOTED</b></p>
<b>STCO95.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interests.</p> <p><b>NOTED</b></p>
<b>STCO96.</b>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <p>That the unrestricted minutes of the Standards Committee held on 20 March 2014 be agreed and signed as an accurate record of the proceedings.</p>
<b>STCO97.</b>	<p><b>UPDATE ON COMPLAINTS RECEIVED DURING THE PAST 12 MONTHS.</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Assistant Director Corporate Governance and Monitoring Officer – Mr Ryan advised the Committee that following the changes to the previous system of complaints pre 2012, which came about as a result of the new Localism Act 2011 – the new system for complaints and the new requirements for Local Authorities came into effect as of 1 July 2012.</p> <p>The current system had been in operation just over two years and in effect the system only now allowed a Local Authority to take limited action against an individual Councillor who had breached the Council’s code of conduct.</p> <p>Mr Ryan advised the Committee that during the Municipal Year 2013/14 there</p>

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had been eight complaints in total of which three were rejected at the Assessment Sub Committee stage, for (including three arising about one member from the same incident) were referred for investigation, and one had been withdrawn following an apology by the member concerned.

Mr Ryan advised that of those referred for investigation one had then proceeded to a Hearing Sub-Committee, and the Member had been found to have breached the code. The other three related complaints regarding the same incident were discontinued as the Member concerned was not re-elected at the elections in May 2014. A complaint relating to the previous year 2012/13 which was then heard in 2013/14 also found that the Member had breached the code of conduct.

In response to points of clarification from the Chair and Committee Mr Ryan advised that the types of alleged breaches tended to be general in nature and have around misuse/improper use of council resources. The role of the Monitoring Officer and Legal Services was to facilitate the process of dealing with a complaint when it came in, through the mechanism of assessment and investigation, as well as enforcing through training and information provided, to explain the requirements of the code of conduct. In terms of the breaches of the code which were found – these related to complaints against former Councillor Gibson, and Councillor Peacock, and resulted in a decision to censure them for their conduct. The findings of each hearing sub-committee were published both on the Council's web and in the media, and also reported to Full Council. Mr Ryan also advised that other sanctions that could be imposed included the withdrawal of the use of Council facilities, and recommendations to respective political groups to consider not appointing the Councillor to an outside body, or Council Committee, and that the individual undergo training in respect of the code.

In response to further points of clarification Mr Ryan advised of the procedure for the Hearing Sub-Committee when it convened. In terms of officer attendees Mr Ryan advised that it was either one of his deputies or himself who would advise the Sub-Committee at the hearing, and another deputy would present the independent investigating officer – who would in turn give their findings. The Democratic Services Manager would also be in attendance and a Committee Co-ordinator.

The Chair thanked Mr Ryan for his concise summary.

There being no further points of clarification it was:

**RESOLVED**

That the report be noted.

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The Chair asked for a brief introduction of the report.

The Assistant Director Corporate Governance and Monitoring Officer – Mr Ryan advised the Committee that the circulated report proposed minor amendments to the Code of Conduct, which would then be reported to Full Council for approval on 21 July 2014.

Mr Ryan referred to para 5.8 of the report which detailed the proposed changes which were self explanatory.

The Committee then briefly discussed the a changes, and in accepting these, in addition that at the new paragraph 2.6 (c) omit the word “act” as it was superfluous, so that the new paragraph reads “claim to act or give the impression you are acting as a representative of your authority”.

There being no further discussions on a MOTION by the Chair it was:

**RESOLVED**

- i. That the proposed amendments to the Council’s Code of Conduct for Members be agreed as detailed in paragraph 5.8 of the report, and in addition the following amendment:

**The Code**

Paragraph 2.6(c) to be amended to omit the word ‘act’.

- ii. That Full Council be recommended to adopt the amendments as detailed in (i) above.

**STCO99. ARRANGEMENTS FOR DEALING WITH COMPLAINTS AGAINST MEMBERS FOR FAILURE TO COMPLY WITH THE MEMBERS' CODE OF CONDUCT-PROPOSED AMENDMENTS - PROPOSED AMENDMENTS**

The Chair asked for a brief introduction of the report.

The Assistant Director Corporate Governance and Monitoring Officer – Mr Ryan advised the Committee that the circulated report proposed amendments to the ‘Arrangements for dealing with allegations that a member has failed to comply with the Members’ Code of Conduct’.

Mr Ryan referred to para 5.3 of the report which detailed the proposed changes which were self explanatory. The current version of the arrangements had been reviewed in light of recent experience of its use, including during the preparation for hearing Sub-Committees.

The Committee then briefly discussed the changes, and in accepting these, in addition commented and proposed the following amendments:

- i. The old paragraph 5.3(f) had disappeared from the draft, and needed to be re-

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	<p>instated as ‘The Monitoring Officer facilitates an informal resolution without the need for a formal investigation. ..... for determination”. The new 5.3(f) inserted then would become 5.3(g).</p> <p>ii. A change to the line inserted at the end of the new 5.3(g) which will whereby the wording “the complainant is vexatious” be amended to read “the complainant is considered to be vexatious”</p> <p>iii. The existing paragraph 9.3 had been lost inadvertently and required re-instatement as a new para 9.4 “The member will then have an opportunity to give his /her evidence .....Members’ Code of Conduct.”. and subsequent para numbering would then be amended to para 9.8. Consequent on this the first line of the last sub-paragraph in 9 which will be 9.8 to be amended slightly because of the change in numbering to read “In the event of a finding under Paragraph <b>9.7(b)</b>”. It currently reads “9.6(b)”</p> <p>There being no further discussions on a MOTION by the Chair it was:</p> <p><b>RESOLVED</b></p> <p>1. That the proposed amendments to the ‘Arrangements’ procedure as detailed in para 5.3 of the report be agreed, and addition the following amendments:</p> <p>i. The old paragraph 5.3(f) had disappeared from the draft, and needed to be re-instated as ‘The Monitoring Officer facilitates an informal resolution without the need for a formal investigation. ..... for determination”. The new 5.3(f) inserted then would become 5.3(g).</p> <p>ii. A change to the line inserted at the end of the new 5.3(g) which will whereby the wording “the complainant is vexatious” be amended to read “the complainant is considered to be vexatious”</p> <p>iii. The existing paragraph 9.3 had been lost inadvertently and required re-instatement as a new para 9.4 “The member will then have an opportunity to give his /her evidence .....Members’ Code of Conduct.”. and subsequent para numbering would then be amended to para 9.8. Consequent on this the first line of the last sub-paragraph in 9 which will be 9.8 to be amended slightly because of the change in numbering to read “In the event of a finding under Paragraph <b>9.7(b)</b>”. It currently reads “9.6(b)”</p> <p>2. That Full Council be recommended to adopt the amendments as detailed in (1) above.</p>
<p><b>STCO100</b></p>	<p><b>NEW ITEMS OF URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>
<p><b>STCO101</b></p>	<p><b>DATES OF NEXT MEETINGS</b></p>

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	<p>The following dates were noted as meetings of the Standards Committee for the Municipal Year 2014/15:</p> <p>3 November 2014 2 March 2015</p>
<b>STCO102</b>	<p><b>EXCLUSION OF THE PUBLIC AND PRESS</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded the from the meeting for consideration of Item 11 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 &amp; 2; namely information relating to any individual, and information which is likely to reveal the identity of an individual.</p>
<b>STCO103</b>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <p>That the exempt minutes of the special meeting of the Standards Committee held on 20 March 2014 be signed as an accurate record of the proceedings.</p>
<b>STCO104</b>	<p><b>NEW ITEMS OF EXEMPT URGENT BUSINESS</b></p> <p>There were no other items of exempt urgent business.</p> <p><b>NOTED</b></p> <p>There being no further business to discuss the meeting ended at 20.10hrs.</p>

COUNCILLOR REG RICE

Chair