

AGENDA

Meeting: **STANDARDS COMMITTEE**
Place: **Council Chamber - Council Offices, Monkton Park,
Chippenham, SN15 1ER**
Date: **Wednesday 7 March 2012**
Time: **2.00 pm**

Please direct any enquiries on this Agenda to Pam Denton, of Democratic Services, County Hall, Trowbridge, direct line 01225 718371 or email pam.denton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

All public reports referred to on this agenda are available on the Council's website at www.wiltshire.gov.uk

Membership:

Wiltshire Council Members

Cllr Nigel Carter, Cllr Ernie Clark, Cllr Peter Fuller, Cllr Julian Johnson,
Cllr Howard Marshall and Cllr Ian McLennan

Town/Parish Council Co-opted Members

Mr William Bailey, Mr Craig McCallum, Mr Paul Neale, Mr Robert Oglesby JP,
Mr John Scragg, Miss Pam Turner, Mr Keith Wallace and
His Hon David MacLaren Webster QC

Independent Co-opted Members

Mrs Jane Bayley, Mr Michael Cronin, Mr Philip Gill MBE JP, Mrs Isabel McCord
(Chairman), Mr Stuart Middleton and Mr Gerry Robson OBE (Vice Chairman)

Part 1

Items to be considered when the meeting is open to the public

1. **Apologies**

2. **Minutes of previous meeting** (*Pages 1 - 6*)

To confirm and sign the minutes of the Committee meeting held on 25 January 2012(copy attached).

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests.

4. **Chairman's announcements**

5. **Public Participation and Questions from Committee Members.**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of the agenda no later than 5pm on 29 February 2012. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. **Recommendations of the Focus Group on the Review of the Constitution**

To follow

7. **Review of the Standards Committee Plan 2010 - 2014** (*Pages 7 - 10*)

To consider the Standards Committee Plan.

8. **Status Report on Complaints made under the Code of Conduct** (*Pages 11 - 24*)

To consider the attached report

9. **Minutes of Sub-Committees** (*Pages 25 - 28*)

The Committee is asked to receive and note the minutes of the following Sub-Committee:

Dispensations Sub Committee – 19 January 2012

10. **Forward Plan** (*Pages 29 - 30*)

11. **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

None

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 25 JANUARY 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Wiltshire Council Members

Cllr Peter Fuller, Cllr Howard Marshall and Cllr Ian McLennan

Town/Parish Council Co-opted Members

Mr William Bailey, Mr Craig McCallum, Mr Robert Oglesby JP, Mr John Scragg, Miss Pam Turner, Mr Keith Wallace and His Hon David MacLaren Webster QC

Independent co-opted Members

Mrs Jane Bayley, Mr Michael Cronin, Mr Philip Gill MBE JP, Mrs Isabel McCord (Chairman), Mr Stuart Middleton and Mr Gerry Robson OBE (Vice Chairman)

Also Present:

Cllr Allison Bucknell

1. Apologies

Apologies were received from Cllr Nigel Carter, Cllr Ernie Clark, Cllr Julian Johnson and Mr Paul Neale

2. Minutes of previous meeting

The minutes of the meeting held on 23 November 2011 were presented

Resolved:

To approve the minutes as a correct record

3. Declarations of Interest

Cllr Peter Fuller declared a personal interest in item 6 – Acceptable usage policy for email, Internet and computer use, as it affected him more than other members of the committee

4. Chairman's announcements

There were no announcements

5. Public Participation and Questions from Committee Members.

There were no members of the public present

6. Acceptable Usage policy - for email, Internet and computer use

Members considered the report which had been referred by the Staffing Policy committee. The committee noted the recommendations of the Staffing Policy committee and the amendments to points 17 and 57 that they had made.

A further amendment to point 57 was made so that it now read: 'A complaint made against a councillor under this policy should be referred to the Monitoring Officer who will advise on the appropriate action to take.'

An amendment to the first page of the policy, first paragraph under the heading 'Who does it apply to?' was made so that the paragraph also included co-opted members.

Resolved:

That the Standards committee endorses the changes to the policy subject to the amendments detailed above.

7. Framework for the new Code of Conduct

The Monitoring Officer introduced the report, which identified the key issues for the committee to consider when preparing to meet the requirements of the new standards framework and also updated members on the outcome of discussions in the Task and Finish Group, Group Leaders and the Focus Group on the Review of the Constitution.

The Monitoring Officer explained that on the Government's intended timetable a new Code of Conduct would have to be in place by 1 July 2012. Discussions were taking place between the Local Government Association (LGA), the Association of Council Secretaries and Solicitors (ACSeS) and the National Association of Local Councils (NALC) on preparing a national model code for authorities to consider adopting.

The Monitoring Officer had also been in contact with Wiltshire Association of Local Councils (WALC) as it was important to keep parish and town councils informed.

The Monitoring Officer's view was that as a fall-back position Wiltshire Council should continue with its existing Code and review it as and when the regulations on interests were published having regard to any national developments.

It was agreed that a seminar should be arranged after the next Standards Committee meeting to enable all councillors to discuss the key issues of the new framework.

Resolved:

- 1. To note the action taken so far and the views of the Standards Task and Finish Group, Group Leaders and the Constitution Focus Group on the implementation of the new standards framework.**
- 2. To ask the Monitoring Officer, in consultation with the Standards Task and Finish Group and the Chairman of the Constitution Focus Group, to prepare detailed proposals on the following for the Constitution Focus Group to consider at its next meeting:**
 - (i) the size and terms of reference of a proposed new standards committee;**
 - (ii) the arrangements for dealing with complaints;**
 - (iii) the arrangements for appointment of the independent person(s), including the number to be appointed, a job description and person specification for this role;**
 - (iv) a code of conduct, subject to the regulations to be issued on interests, having regard to any national or regional models that are being developed, and the views of members.**
- 3. To oversee the arrangements for consulting and providing support to town and parish councils in the implementation of the new standards framework.**
- 4. To ask the Constitution Focus Group to report back to the Standards Committee at its meeting on 7 March 2012 with a view to final recommendations being made to the Council at its meeting on 15 May 2012.**

8. Minutes of the meeting of the Focus Group on the Review of the Constitution held on 16 January 2012

The minutes of the Focus Group on the Review of the Constitution had been circulated to members of the committee. The Committee considered the recommendations made by the Focus Group and

Resolved:

Questions and Motions on Notice

To recommend to Council:

- a) not to limit the number of questions or motions a member may submit;**
- b) not to change the deadline for submission of questions or motions on notice at this stage but to keep the position under review and bring this back to the Focus Group for further consideration in due course. In the meantime to encourage Councillors to submit questions in particular, in advance of the deadline as far as possible to maximise the time available to prepare responses and in the case of motions, to prepare reports to assist Council in its consideration of them where appropriate;**
- c) Not to introduce a time limit for questions and motions;**
- d) Not to differentiate between operational and non-operational questions;**
- e) To require motions on notice to contain a clear separation between the preamble setting out background information to the motion and the action being sought; and to ask officers to prepare background reports for motions on notice where possible and guidance to assist members in drafting motions;**
- f) To note that the Chairman in keeping with his role to manage the efficient transaction of business at meetings, had agreed to place questions and notices of motion further down the agenda, after substantive business, in particular items on the budget and policy framework and having regard to the agenda as a whole.**

Contract Regulations

To recommend to Council:

- a) to agree the revised contract regulations, subject to the Head of Procurement circulating a final revised draft to members of the**

Focus Group and the Standards Committee by the end of January for comment, taking into account, the following points in particular:

- b) The contract regulations should contain a specific requirement to include the BuyWiltshire website in advertisements for the tender of council contracts;**
- c) The regulations should provide for the publication of decisions on extraordinary exemptions and the reasons for those decisions on the council's intranet within 10 working days of the date of the decision, and should normally be made available to the public, except where this would not be appropriate for legal reasons.**

9. Status Report on Complaints made under the Code of Conduct

The Monitoring Officer presented the report and it was noted that there had been an increase in cases. It was noted that there will be a point at which the Council will no longer be able to accept complaints under the present regime. This will need to be considered in the light of the transitional regulations when they are available.

Resolved:

To note the report and that a further report will be presented to the committee on the transitional arrangements for dealing with complaints under the current system once the regulations have been issued.

10. Minutes of Sub Committees

The minutes of the Dispensation Sub-Committee held on 20 December were presented.

Resolved:

To note the minutes

11. Forward Plan

The committees forward plan was presented.

Resolved

To approve the forward plan as amended.

12. **Urgent Items**

There were no urgent items

(Duration of meeting: 2.30 - 4.40 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services,
direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

STANDARDS COMMITTEE PERFORMANCE AGAINST PLAN – REVIEW SEPTEMBER 2011

Wiltshire Council’s Vision is to create stronger and more resilient communities, underpinned by 3 key goals:

- 1. Deliver high quality, low cost, customer focused services.**
- 2. Ensure local, open, honest decision-making.**
- 3. Working together to support Wiltshire’s communities**

Wiltshire Council Standards Committee Vision is to raise public trust and confidence in local democracy by promoting consistently high standards of conduct throughout local government in Wiltshire

Top Priorities for Action 2011

Standards Committee Goals	Standards Committee Output	Targets	Owner Responsibility	Comments
Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council	Develop local voluntary Code of Conduct and range of possible sanctions for adoption by full Council	Voluntary Code and procedure for receiving and handling complaints developed by September 2011	Nina Wilton	Complete. <i>Work on voluntary code on hold until further detail of possible national code available and more is known about the new rules on interests. Complaints procedure to be agreed by Standards Committee on 7 March 2012</i>
		Standards Committee agrees voluntary Code for presentation to full Council – Spring 2012 following Royal Assent for Localism Bill	Ian Gibbons/Nina Wilton/Chair	<i>Localism Act comes into force on 1 July 2012. Voluntary Code and all associated procedures and organisational structures will now be taken to May Council meeting</i>
		Standards Committee agrees range of possible sanctions, submitted for Cabinet input, and ready for presentation to full Council – Spring 2012	Ian Gibbons/Nina Wilton/Chair	<i>Possible sanctions to be agreed by Standards Committee at meeting on 7 March 2012</i>
	Develop proposals for role and, composition of Standards Committee informed by detail and scope of new voluntary local Code, any statutory requirements from Localism Bill and Wiltshire Council needs	Consultation document to relevant stakeholders as Bill completes passage through Parliament. Report and recommendations to Council based	Ian Gibbons/Nina	<i>Constitution Focus Group’s views given at meeting on 21 February 2012. Members’ seminar being arranged prior to Council Meeting</i>

		on stakeholder consultation and Constitution Focus Group feedback. Probable timing late spring 2012	Wilton/Chair	<i>in May 2012</i>
Work with Parish, Town and City Councils to support them in their application of the local standards framework	Develop training package for Town, Parish and City (TP&C) Councils in conjunction with WALC; finalise and implement programme for delivery of training; monitor the take-up and effectiveness of training.	Completed	Nina Wilton / Vice Chair	New training package designed to include reference to proposed changes in Localism Bill. Training offered but limited take-up from T&P Councils
	Monitor developments relating to standards of conduct affecting TP&C Councils in the Localism Bill and develop appropriate support and information for TP&C Councils.	Monitoring on-going. When final amendments to the Bill go through Parliament, assess impact on TP&C Councils and develop appropriate information materials for publication on website and/or support for implementation of local codes (subject to capacity in the Governance Service)	Ian Gibbons/Nina Wilton/Chair	<i>Monitoring Officer wrote to TP&C Councils on 30 December 2011 updating them on impact of Localism Act on them. Further information will be given once the work on the voluntary code and associated procedures are agreed by the Standards Committee</i>
	Develop proposals for support (if relevant) for TP&C Council codes to be produced depending upon detail of Localism Bill	Present to relevant decision making body of the authority in late spring/early summer 2012 – timing depends on passage of Bill through Parliament	Ian Gibbons/Nina Wilton/Chair	<i>This will form part of the proposals put to Council at its May meeting</i>
	Provide training event for TP&C councils on the areas of the Localism Bill that affects them	To be arranged when the details of the Bill are known	Nina Wilton/Vice Chair	
Inform and engage the public on standards in local government	Ensure that the Standards Content on the Wiltshire Council Website is easily accessible	Completed	Nina Wilton / Mr. Craig McCallum	

Chairman's Overview.

1. The main area of work since September 2011 has been using the committee's experience of the current local assessment of code of conduct complaints to develop a draft local voluntary code, range of sanctions and complaints procedure as well as proposals for a Standards Committee and Independent Persons. It has taken into account the views of the Constitution Focus Group. The work on the Voluntary Code is on hold until more is known about the possible national code and the details of the new rules on interests are available.
2. The committee will involve TP&C Councils in the development of the new arrangements. To this end the Monitoring Officer wrote to them on 30 December 2011 with information about the new standards framework.

Other Areas for Action 2011				
Standard Committee Goals	Standard Committee Output	Targets	Owner Responsibility	Comments
Apply the local standards framework in a fair, efficient and proportionate manner	Improve efficiency of local assessment process	All Investigating Officers' reports to clearly identify the Findings of Fact wef 1 November 2011	Nina Wilton	<i>Complete</i>
		Assessment Sub Committees to give clear direction on areas of complaint to be included in the investigation wef 1 November 2011	Chairmen of Assessment Sub Committees	<i>Complete</i>
Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council and promote standards in partnerships	Support the Council in moving to a single culture by promoting agreed values	Consider Wiltshire Council Behaviours Framework at meeting 23 November 2011	Ian Gibbons/Chair	<i>Complete</i>
	Periodic meetings between Chairman, Monitoring Officer, Leader and CE	Met 3 August 2011.	Ian Gibbons/Chair	<i>A further meeting has not yet been arranged</i>
	Increased Standards Committee visibility by attendance at Council, Cabinet, committee meetings and at Area Boards	Chairman or Vice Chairman to attend Council Meetings (6 per year) and 50% of Cabinet meetings. SC representation at all Area Boards at least once per year	Chair/Vice Chair	
	Oversight of Council's complaint handling to ensure complaints are dealt with efficiently and lead to improvements in services to the public	Local Government Ombudsman Report and statistical report to be considered by the Committee annually	Nina Wilton	
	Review partnership governance arrangements	Complete	Nina Wilton	
	Incorporate agreed values and standards of behaviour in partnership documentation	No timescale has been set for this yet.	Ian Gibbons	
Work with Parish, Town and City Councils to support them in their application of the local standards framework.	Communicate regularly with TP& C Councils on standards issues	Provide articles in Parish newsletters as required	Nina Wilton /Chair	
		Provide annual digest of code of conduct cases		

Hearings

2012	Number of hearings	Date(s) & type(s) of hearing	Outcome	Appeal (Y/N)
January	5	19/01/12 – 2 x Review Sub-Committee 31/01/11 – 3 x Consideration Sub-Committee	2 x no further action 3 x no failure to comply	n/a
February	6	09/02/12 – 3 x Assessment Sub-Committee 21/02/12 – 1 x Determination Sub-Committee 23/02/12 – 2 x Assessment Sub-Committee	3 x no further action 1 x breach (no sanction) 1 x no further action & 1 x investigation	

Investigations – open

Case reference	Date of Assessment hearing	Progress	Estimated date of final report
WC 39/11	13/07/11	Awaiting comments on draft report	March 2012
WC 42/11	02/08/11	Interviews completed	March 2012
WC 43/11	02/08/11	Interviews ongoing	March 2012
WC 47/11	09/08/11	Final report issued 22/02/2012	N/A
WC 48/11	09/08/11	Final report issued 22/02/2012	N/A
WC 49/11	09/08/11	Final report issued 22/02/2012	N/A
WC 53/11	09/08/11	Final report issued 22/02/2012	N/A
WC 50/11	09/08/11	Final report issued 15/02/2012	N/A
WC 51/11	09/08/11	Final report issued 15/02/2012	N/A
WC 52/11	09/08/11	Final report issued 15/02/2012	N/A
WC 55/11	13/10/11	Investigation underway	Spring 2012
WC 56/11	13/10/11	Report being drafted	March 2012
WC 58/11	07/11/11	Report being drafted	March 2012
WC 03/12	23/02/12	Investigating Officer to be appointed	

Complaints received 2009 – 2011

	Cases received	Cases open (cumulative)	Assessed by Committee – investigation	Assessed by Committee – no investigation	To be assessed by Committee/other	Cases closed
April 2009 to December 2009	44	23	18	10	16	21
January 2010 to December 2010	33	18	4	27	2	38
January 2011 to December 2011	67	20	18	49	0	65

Appeals received
1 (original decision overturned)
9 (original decisions upheld)
9 (original decisions upheld)

Hearings 2009 - 2010

		Type of Hearing	Outcome	
2009		Assessment sub-committees - 27	Investigations – 14 Other action – 2 No further action – 11	
2010		Assessment sub-committees – 29 Review sub-committees – 10 Consideration sub-committees - 11 Determination sub-committees - 6	Investigations – 4 Other action – 4 No further action – 21 Original decision upheld – 9 Original decision overturned – 1 Referral for determination – 7 Finding of no breach accepted – 4 No breach – 2 No breach & breach (training) - 1 Breach – 3 = 1(censure), 1(training) & 1(no further action)	

Hearings 2011

		Type of Hearing	Outcome
2011		<p>Assessment sub-committees – 71</p> <p>Review sub-committees – 9</p> <p>Consideration sub-committee – 7</p> <p>Determination sub-committee – 7</p>	<p>Investigations - 19 Other action - nil No further action – 52</p> <p>Original decision upheld – 9</p> <p>Referral for determination - 6 Finding of no breach accepted – 1</p> <p>No breach – 6 No breach & breach (no sanctions) - 1</p>

Investigations – closed

Case reference	Date of Assessment hearing	Outcome
WC 06/09	13/05/09	Determination Sub-Committee 13 May 2010 – failure to comply (sanction – training)
WC 14/09	23/06/09	Consideration Sub-Committee 15 April 2010 – no failure to comply
WC 15/09	23/06/09	Consideration Sub-Committee 15 April 2010 – no failure to comply
WC 18/09	13/05/09	Determination Sub-Committee 6 October 2010 – no failure to comply
WC 19/09	13/05/09	Determination Sub-Committee 6 October 2010 - no failure to comply
WC 20/09	23/06/09	Determination Sub-Committee 17 March 2011 – no failure to comply
WC 24/09	07/07/09	Determination Sub-Committee 12 April 2010 – failure to comply (sanction- censure)
WC 30/09	07/07/09	Determination Sub-Committee 19 May 2011 – no failure to comply
WC 31/09	07/07/09	Determination Sub-Committee 19 May 2011 – no failure to comply
WC 32/09	07/07/09	Determination Sub-Committee 19 May 2011 – no failure to comply
WC 33/09	07/07/09	Determination Sub-Committee 14 October 2010 – 1 no failure to comply & 1 failure to comply (sanction – training)
WC 38/09	19/11/09	Determination Sub-Committee 5 July 2010 – failure to comply (no further action)
WC 42/09	03/02/10 (Review Sub-Ctte)	Consideration Sub-Committee 7 September 2010 – no failure to comply
WC 09/10	25/05/10	Consideration Sub-Committee 14 December 2010 – no failure to comply
WC 10/10	25/05/10	Determination Sub-Committee 30 March 2011 - 1 no failure to comply & 4 failures to comply (no sanction)
WC 12/10	19/08/10	Consideration Sub-Committee 24 February 2011 – no failure to comply
WC 43/09	02/12/09	Determination Sub-Committee 2 September 2011 - no failure to comply
WC 45/09	02/12/09	Determination Sub-Committee 2 September 2011 - no failure to comply
WC 38/11	07/06/11	Investigation discontinued 16/09/11 due to resignation of subject member
WC 34/11	07/06/11	Consideration Sub-Committee 31 January 2012 – no failure to comply
WC 36/11	07/06/11	Consideration Sub-Committee 31 January 2012 – no failure to comply
WC 37/11	07/06/11	Consideration Sub-Committee 31 January 2012 – no failure to comply
WC 33/11	13/05/11	Determination Sub-Committee 21 February 2012 – failure to comply (no sanction)

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Breakdown of Code of Conduct Complaints

Number of complaints received	2009	2010	2011
Parish	20	15	30
Town	12	4	27
Unitary	12	14	10
Total	44	33	67

Paragraph of Code	Number of times cited 2009	Number of times cited 2010	Number of times cited 2011
3(1) – you must treat others with respect	20	14	49
3(2)(a) – you must not do anything which may cause your authority to breach any of the equality enactments	6	4	6
3(2)(b) - You must not bully any person	12	8	12
3(2)(c) – you must not intimidate any person who is or is likely to be a complainant	6	1	9
3(2)(d) – you must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority	2	3	9
4(a) – you must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonable to be aware, is of a confidential nature	3	1	1
4(b) – you must not prevent another person from gaining access to information to which that person is entitled by law	0	2	1
5 – you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute	15	14	50
6(a) – you must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage	8	8	29
6(b)(i) – You must, when using or authorising the use by others of the resources of your authority, act in accordance with your authority’s reasonable requirements	3	0	0
6(b)(ii) – you must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes)	2	0	0

Paragraph of Code	Number of times cited 2009	Number of times cited 2010	Number of times cited 2011
6(c) – you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986(a)	2	0	0
8(1)(a) – you have a personal interest in any business of your authority where either it relates to or is likely to affect: (ii) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority; (ii) any body – (aa) exercising functions of a public nature; (bb) directed towards charitable purposes; (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management.	0	0	4
8(2)(a) – you have a personal interest in any business of your authority where either it relates to or is likely to affect a member of your family or any person with whom you have a close association	0	0	8
9 (1) – subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.	4	8	9
10 – subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.	7	0	13
12 (1) – subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority you must withdraw from the chamber where a meeting considering the business is being held .	2	0	0

Paragraph of Code	Number of times cited 2009	Number of times cited 2010	Number of times cited 2011
12(1)(c) – subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority you must not seek to improperly influence a decision about that business	3	0	0
13 (1)(b) – subject to paragraph 14, you must, within 28 days of your election or appointment to office (where that is later), register in your authority’s register of members’ interests details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority’s monitoring officer.	1	1	1
13(2) – subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority’s monitoring officer.	0	0	1

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Breakdown by Town, Parish and County of complaints received under the Code of Conduct.

2011

Complaints received against Town Councillors -	25
Complaints received against Parish Councillors -	32
Complaints received against County Councillors -	9

Of the above Town Councillor complaints –	
Multiple complaints made against one councillor, 2 incidences (3 + 5) -	8
Multiple complaints made by one person, 2 incidences (9 + 4, NB same person, same council) -	13

Of the above Parish Councillor complaints -	
Multiple complaints made against one councillor, 1 incidence -	3
Multiple complaints made by one person, 3 incidences (2 + 7 + 8) -	17

2010

Complaints received against Town Councillors -	5
Complaints received against Parish Councillors -	16
Complaints received against County Councillors -	11

Of the above Town Councillor complaints –	
Multiple complaints made against one councillor -	0
Multiple complaints made by one person, one incidence -	3

Of the above Parish Councillor complaints -	
Multiple complaints made against one councillor-	0
Multiple complaints made by one person, 3 incidences (4 + 2 + 2) -	8

Of the above County Councillor complaints –	
Multiple complaints made against one councillor -	0
Multiple complaints made by one person, 2 incidences (4 + 3) -	7

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STANDARDS DISPENSATION SUB-COMMITTEE

DRAFT MINUTES OF THE STANDARDS DISPENSATION SUB-COMMITTEE MEETING HELD ON 19 JANUARY 2012 AT COMMITTEE ROOM III - COUNTY HALL, TROWBRIDGE.

Present:

Mr Philip Gill, Cllr Howard Marshall and Mr Keith Wallace

Nina Wilton – Deputy Monitoring Officer

1. Declarations of Interest

There were no declarations of interest

2. Consideration of a dispensation request - Cllr David Grover of Steeple Langford Parish Council

The Deputy Monitoring Officer introduced the report and explained that this was a review of an application which had been considered and refused by the Dispensation Sub-Committee at its meeting on 13 May 2011. Cllr Grover's circumstances had now changed as he was no longer a trustee of the Steeple Langford Allotments and had therefore requested that his application for a dispensation be reconsidered.

Councillor Grover is a member of Steeple Langford Parish Council, an allotment holder and also lives next door to the allotment site.

There are seven councillors on Steeple Langford Parish Council. Two councillors are trustees of the allotment trust, and another two (Councillor Grover and Councillor Watson) have a personal and prejudicial interest in the allotments by virtue of being an allotment holder and living next to the site of the allotments.

This means that four of the seven members of Steeple Langford Parish Council have a personal and prejudicial interest in the Steeple Langford Allotments, representing 57% of the total membership of the parish council. The parish council is inquorate when considering matters relating to the allotments.

The Deputy Monitoring Officer explained the law and guidance relevant to this request and advised that in her opinion Councillor Grover did have a personal and prejudicial interest in matters relating to the financial position of the allotments arising from his position as an allotment holder and the fact that he lived next door to the allotment site.

She reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The Sub-Committee discussed the nature of Councillor Grover's prejudicial interest and concluded that there had been no substantial change in his situation since the last request.

Resolved:

The sub-committee did not consider that the circumstances had changed significantly therefore decided not to grant a dispensation as it was not in the public interest to do so.

3. Consideration of a dispensation request - Cllr Dawn Watson of Steeple Langford Parish Council

The Deputy Monitoring Officer introduced the report and explained that Councillor Watson is an allotment holder of allotments in the area of the parish council. She also lives in close proximity of the Allotments Gardens. She therefore has a personal and prejudicial interest in council agenda matters relating to the allotments.

The Steeple Langford Allotments are managed by a charitable trust. Two of the Steeple Langford Council members are trustees of the allotment trust and have personal and prejudicial interests arising from their position as trustees.

Councillor Watson and one other councillor (Councillor Grover) have a personal and prejudicial interest in the allotments by virtue of being an allotment holder and living next to the site of the allotments.

This means that four of the seven members of Steeple Langford Parish Council have a personal and prejudicial interest in the Steeple Langford allotments, representing 57% of the total membership of the parish council. The parish council is inquorate when considering matters relating to the Steeple Langford allotments.

The Deputy Monitoring Officer explained the law and guidance relevant to this request and advised that in her opinion Councillor Watson did have a personal and prejudicial interest in matters relating to the financial position of the

allotments arising from her position as an allotment holder and the fact that she lived next door to the allotment site.

She reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The Sub-Committee discussed the nature of Councillor Watson's prejudicial interest and concluded that it was so substantial that the granting of a dispensation would be likely to prejudice the public confidence in the conduct of Steeple Langford Parish Council's business.

Resolved:

Not to grant a dispensation as the sub-committee did not consider that it was in the public interest to do so.

(Duration of meeting: 2.00 – 2.30pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

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COMMITTEE'S WORK PLAN

<u>Meeting Date and Time</u>	<u>Name of Report</u>	<u>Scope of Report</u>
2 May 2012 – Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU	Status Report on Complaints made under the Code of Conduct	
	Minutes of Sub-Committees	
	Outcome of a Hearing Sub- Committee	
	Annual report on dispensations granted.	
	Standards Committee Annual Report	
4 July 2012 - Council Chamber Bradley Road, Trowbridge BA14 0RD	Status Report on Complaints made under the Code of Conduct	
	Reappointment of Sub- Committees	
	Minutes of Sub-Committees	
	Annual Governance Statement	

Future meeting dates:
5 September 2012 and 7 November 2012

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