

STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 18 MAY 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

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 Paul Neale, Mr Robert Oglesby JP, Miss Pam Turner 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 in attendance: Cllr Francis Morland

27. Election of Chairman

The Democratic Services Officer sought nominations for the position of Chairman of the Standards Committee for the 2011/12 municipal year. On being proposed and seconded and there being no other nominations it was

Resolved:

To appoint Mrs Isabel McCord as Chairman of the Standards Committee for the 2011/12 municipal year.

Mrs Isabel McCord in the Chair

The Chairman thanked the members of the Committee and the officers for their support.

28. Election of Vice-Chairman

The Chairman sought nominations for the position of Vice-Chairman of the Standards Committee for the 2011/12 municipal year. On being proposed and seconded and there being no other nominations it was

Resolved:

To appoint Mr Gerry Robson OBE as Vice-Chairman of the Standards Committee for the 2011/12 municipal year.

29. Apologies

Apologies were received from Mr John Scragg, Mr Craig McCallum and Mr Keith Wallace.

30. Minutes of previous meeting

The minutes of the meetings held on 9 March 2011 were presented.

Resolved:

To approve and sign the minutes as a correct record.

31. Chairman's announcements

The Chairman announced changes to the Committee following the meeting of full Council 17 May 2011. She thanked Councillor Hewson for his service on the Committee, and welcomed Councillor Howard Marshall.

The Chairman also welcomed Mr Frank Cain, Head of Legal Services and Deputy Monitoring Officer.

The Chairman went on to inform the Committee that full Council had agreed an extension to her serving as a member on the Standards Committee until the end of the current regime or until May 2012 whichever is sooner.

The Chairman had presented the Standards Committee's Annual Report to Council, noting particularly;

- The Committee's policy on the duration of dispensation certificates for dual-hatted members of Wiltshire Council Area Boards and Town and Parish Councils.
- The breakdown of complaints, determined by the Committee.
- The work on the review of the Constitution.
- The work being undertaken to prepare and support the Council in connection with the new voluntary arrangements proposed in the Localism Bill.

The Chairman informed the Committee Members that due to the refurbishment works being undertaken at County Hall that, meetings would be held in future at

Browfort and Monkton Park. It was agreed that Salisbury should also be considered as a venue for future meetings.

An additional meeting would be held on 23 June 2011, at Monkton Park.

32. Declarations of Interest

Councillor Johnson declared a personal interest in agenda item 10, as Chairman of the New Forest National Park Authority.

33. Public Participation and Questions from Committee Members.

There were no members of the public present.

34. Re-Appointment of Sub-Committees and Focus Group

The Monitoring Officer presented the report, reminding members of the Committee that the usual practice adopted is to appoint the same members to the Consideration and Hearing Sub Committees for each complaint.

Resolved:

To reappoint the following sub-committees and Focus Group on the basis set out in the report:

- (i) Assessment Sub-Committee**
- (ii) Review Sub-Committee**
- (iii) Hearing Sub-Committee**
- (iv) Consideration Sub-Committee**
- (v) Dispensation Sub-Committee**
- (vi) Focus Group on the Review of the Constitution**

35. Standards Committee Plan and Business Plan

The Monitoring Officer presented the report. The Committee had requested that he review the plan to ensure that it was consistent with the Council's Business Plan. Work was continuing in the area of culture and staff were being consulted to define the values to adopt and embed in the organisation. A culture plan was being developed and this would be brought to the Committee. In due course the Chairman and Monitoring Officer would be meeting with the Leader and Chief Executive to discuss this.

The Chairman suggested that it would be valuable for the Leader and Chief Executive to attend the Committee to discuss the role of the standards Committee in supporting the Council in the achievement of its vision and goals. Members of the Committee were mindful of the changing scope of democracy and would welcome an early view of potential changes.

Resolved:

To note the report.

36. Dispensations Applications

The Head of Governance presented the Annual Report on Dispensation Applications. There had been 30 applications for dispensations during the year: the team had been quite busy not only with applications from dual-hatted Area Board members but also from Town and Parish Councillors. The dispensation requests are considered on an individual basis looking at the specific circumstances and duration for each application.

Resolved:

To note the report.

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

The Committee discussed the Code of Conduct Complaints Status Report expressing their concern over several cases where the length of time from receiving the complaint to a conclusion was considered to be too long. The Head of Governance explained that complaints that had been dealt with in the early months of the formation of the Unitary Council had taken longer to process due to the heavy workload, complexity of the allegations and lack of resources. This had been rectified. The delays were regrettable but newer complaints were dealt with more effectively. It remains a key objective to improve the efficiency of the process.

Resolved:

To note the report.

38. Outcome of the Standards Committee Workshop on the Localism Bill

The Monitoring Officer gave an update on the Standards Committee Workshop on the Localism Bill. The recommendations of the Focus Group on the Review of the Constitution, held in March 2011 would be brought back to the Committee in September 2011, with a possible recommendation to Council in November 2011.

The Chairman thanked the Monitoring Officer for his update and it was

Resolved:

1) To note the report.

2) To request the Focus Group to place emphasis on how parish and town councils might be supported by Wiltshire Council in adopting voluntary arrangements for standards.

39. Forward Plan

There were two additional items for the 20 July meeting;

- Report on Politically Restricted Posts
- Report on Parish Development Work

And one item for the September meeting,

- Report of the Focus Group on the Review of the Constitution on the future of the standards regime under the proposals in the Localism Bill.

Resolved:

To note the report.

40. **Urgent Items**

There were none.

41. **Exclusion of the Press and Public**

Resolved:

To agree in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the business specified in Item 15 because it is likely that if members of the public were present there would be a disclosure to them of exempt information as defined in paragraph 7c of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

42. **Outcome of Standards Consideration Sub-Committee**

The Committee received a report on the outcome of a consideration sub-committee.

Resolved:

To note the report.

43. **Any Other Business**

Forthcoming meeting of the Focus Group on the Review of the Constitution.

The Chairman explained that a meeting of the Focus Group on the Review of the Constitution would be held in the near future. The purpose of the meeting was to discuss a proposal for the scrutiny of amendments to the budget.

(Duration of meeting: 2.00 - 3.30 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

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