

STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 20 JULY 2011 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Wiltshire Council Members

Cllr Nigel Carter and Cllr Ian McLennan

Town/Parish Council Co-opted Members

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

Independent co-opted Members

Mrs Jane Bayley, Mr Philip Gill MBE JP, Mrs Isabel McCord (Chairman) and Mr Stuart Middleton

Also Present:

Cllr Francis Morland

44. Apologies

Apologies were received from Mr William Bailey, Councillor Ernie Clark, Mr Michael Cronin, Councillor Peter Fuller, Councillor Julian Johnson, Mr Gerry Robson OBE and Mr John Scragg

45. Minutes of previous meeting

The minutes of the meeting held on 18 May 2011 were presented.

Resolved:

To approve and sign the minutes as a correct record.

46. Chairman's announcements

The Chairman offered the condolences of the committee to Mr Keith Wallace on his recent sad loss.

The Chairman would be meeting with the Leader and the Chief Executive on 3 August and would be inviting them to a future meeting of the committee.

47. Declarations of Interest

There were no declarations of interest.

48. Public Participation and Questions from Committee Members.

There were no members of the public present.

49. Minutes of Sub-Committees

The minutes of the Dispensation Sub-Committee held on 13 May 2011 were presented.

Resolved:

To note the minutes

50. Annual Governance Statement

The Monitoring Officer presented the Draft Annual Governance Statement for 2010-11 for the Committee's preliminary comments.

It was noted that this is a statutory requirement and the content follows guidance from CIPFA and is built around the six principles of good governance.

Following a debate the following changes were suggested:

Paragraph 12 – additional sentence to read: The Constitution Focus Group remains in place to review the constitution in the light of the Localism Bill.

Paragraph 13 – add at end of sentence 'and some of this is delegated to Area Boards'.

Paragraph 61 – 4th line delete 'these policies' and replace with 'the Whistleblowing Policy'.

Paragraph 73 – need to add the point that there is an ambition to align scrutiny activities to the business plan.

Paragraph 83 – clarify the definition of ‘charter’.

Resolved:

1. **To make amendments as detailed above.**
2. **To note that the draft Annual Governance Statement will be revised in the light the comments made by this Committee and the ongoing review work by the Governance Assurance Group. It will then be considered by Cabinet before being taken back to the Audit Committee for final approval and publication by 30 September 2011.**

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

The Head of Governance presented the report. The committee noted that recently there had been five referrals for investigation.

Resolved

To note the report

52. Outcome of Standards Hearing Sub Committee

The Monitoring Officer presented the report which detailed the outcome of the Standards Hearing Sub Committee held on 30th March 2011 to consider an allegation of breaches of the Code of Conduct for Members.

Committee members requested clarification on the process of registering interests.

Resolved:

To note the report

53. Politically Restricted Posts - Applications for Exemption

The Head of Governance presented the report which advised the committee of the requirements for them to consider officer applications for their jobs to be removed from the Wiltshire Council list of politically restricted posts and provided a proposed procedure for considering and determining such applications.

Resolved:

To agree the procedure for considering applications for exemption from the holders of politically restricted posts and that these applications will be determined by the Dispensation Sub-Committee.

54. Views from focus group on future standards regime

The Monitoring Officer presented the report which sought to update the committee on the feedback received from the Constitution Focus Group upon considering the views expressed by members at the standards workshop in March 2011.

The Monitoring Officer explained that a draft voluntary code of conduct would be prepared and considered by the Constitution Focus Group prior to consideration by the Standards Committee in November.

Resolved:

- 1. To note the comments made by the Constitution Focus Group.**
- 2. To ask the Monitoring Officer to begin to prepare a draft voluntary code and arrangements for dealing with complaints, having regard to the principles discussed by the Standards Committee and the Focus Group and developments locally, regionally and nationally.**
- 3. To report back to the Committee in the autumn when the legislative framework is clear.**

55. Wiltshire Council Website - Town and Parish Council information

The Head of Governance presented the report which advised the Committee of changes made to the information for town and parish councils on Wiltshire Council's website.

The Chairman thanked Marie Lindsay and Mr Craig McCallum for their work in improving the website.

Resolved:

To note the report

56. Parish Development Work

Mr Philip Gill MBE, JP gave a verbal update on work that he had carried out in assisting a parish clerk to deal with some conflicts between the members of the council.

The Chairman thanked Mr Gill for what he had achieved in promoting higher standards of behaviour.

57. Forward Plan

The committee's forward workplan was presented.

Resolved

To note the forward workplan.

58. Urgent Items

There were no urgent items

59. Exclusion of the Press and Public

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 minute 60 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.

60. Outcome of Standards Hearing Sub Committees

The Committee received a report on the outcome of three hearing sub-committees.

Resolved:

To note the report.

(Duration of meeting: 2.00 - 4.10 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