

These minutes will be presented to the next Standards Committee meeting for approval as a correct record.

## **WEST WILTSHIRE DISTRICT COUNCIL**

### **MINUTES**

Minutes of the: **STANDARDS COMMITTEE**

Held on: **TUESDAY 25 OCTOBER 2005**

Held in: **THE 8TRIUM, BRADLEY ROAD TROWBRIDGE**

Present:

District Council Representatives: Cllrs Ernie Clark and Eli Manasseh

External Representatives: Tony Frost (Chairman)

Town/Parish Representatives: Mary Stacey

Also Present Cllrs Linda Conley, Russell Hawker, Jeff Osborn, Bill Viles and Dr Kurt Paulus (external representative - to be ratified by Council on 9 November)

Officers: Acting Legal & Democratic Services Manager (GC) and Member Support Officer (MS)

This meeting commenced at 6.30pm in the 8trium to allow the Committee to deal with its ordinary committee business (minute 153 – 160 refer). The meeting then adjourned to the Council Chamber at 7.12pm where it was joined by other Members of the Council (all Members of the Council had been invited to this section of the meeting) in order to contribute to the Standard Committee's consideration of the review of the Constitution (minute 161 refer).

#### **153. APOLOGIES**

Apologies were received from Cllr Farkas, Horace Prickett and Tim Darsley

#### **154 MINUTES**

The minutes from the meeting on 1 September were approved as a correct record and signed by the Chairman.

## **155. DECLARATIONS OF INTEREST**

Cllr Clark declared a personal interest in agenda item 'Review of the Constitution' as he had chaired Hilperton Parish Council meeting when the item had been discussed. He would not be in attendance when the item was discussed due to a prior commitment.

## **156. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed the Committee that Simon Best had decided to leave the Council and was no longer an employee. The Committee agreed that Simon had served the committee well and that a letter should be sent to him expressing best wishes for the future and thanks for all he had done.

George Curran explained that he had taken over the role and was now the Acting Legal and Democratic Services Manager until an appropriate successor was found. The post was currently being advertised and it was hoped interviews would take place before the end of the year. The new Legal and Democratic Services Manager would probably not be in post until March 2006.

Simon Best had also been the Monitoring Officer. As George Curran was not a direct employee of the Council he was not able to take up this role, therefore the Corporate Director, Tim Darsley was the Acting Monitoring Officer for the Council.

At the Standards meeting on 1 September the Committee requested a letter of thanks be sent to Margaret Ellwood. Due to the departure of Simon Best shortly after this meeting it was not believed that a letter was sent. To resolve this situation George Curran, in collaboration with the Chairman, would draft a letter and send on behalf on the Chairman.

The Chairman congratulated Mary Stacey and Horace Prickett on their renominations as Town and Parish Council Representatives for the Standards Committee.

Interviews had been completed for the vacant external representative post. Dr Kurt Paulus, who was in attendance at the meeting as an observer, had been nominated and was awaiting ratification by Council on 9 November before he could attend the Standards Committee meeting in an official capacity.

### **RESOLVED:**

- (i) The Acting Legal and Democratic Services Manager and the Chairman write a letter of thanks to Simon Best**
- (ii) The Acting Legal and Democratic Services Manager and Chairman write a letter of thanks to Margaret Ellwood**

## **157. GUIDELINES FOR ENQUIRIES**

In the past some Members had been approached by members of the public about issues which were perceived as being of importance to the Standards Committee. These issues should be directed to the Standards Board for England and Members should not become involved in the detail as at a future date Standards Committee Members may be called to adjudicate.

Members wanted to be helpful to the public when they were approached without becoming too involved so as not to compromise their positions. Members were presented with an appendix to a report which suggested text that should be incorporated into a short pamphlet that could be made available on the website and reception to assist people with matters of ethics and conduct.

The Acting Legal and Democratic Services Manager was also sourcing the most appropriate Officer that Members should direct complaints to at a local level and that this should also be incorporated into the pamphlet. It was suggested that the most appropriate Officer would be Paul Mountford, Policy & Communications Services Manager or Tim Darsley, Corporate Director and Acting Monitoring Officer. Members would be informed once this had been established.

### **RESOLVED:**

- (i) A short pamphlet, incorporating the text as presented, be designed and available from the reception of West Wiltshire District Council and the website.**

## **158. FURTHER MOCK HEARING**

Members had felt that a further mock hearing would be useful following the initial mock hearing. George Curran, Acting Legal and Democratic Services Manager, had spoken to the Standards Board to enquire if they offered any training material. The Standards Board do not supply training material but have past cases posted on the website.

As a previous feature on the agenda, Members asked for an update regarding the Standards Board for England current complaints. The Acting Legal and Democratic Services Manager informed Members that if a complaint was made to the Standards Board via a local authority the local authority would be informed of the outcome/progress. However if a member of the public made a complaint to the Standards Board a local authority would only be made aware of the complaint if:

1. the matter required evidence or information, or
2. if the Standards Board decided not to investigate the complaint

Should the Standards Board investigate a complaint the conclusion would be put onto the Standards Board for England website and the reports concerned are anonymised.

**RESOLVED:**

- (i) A mock hearing be arranged for the first appropriate date after the Standards Committee's input into the new Constitution.**
- (ii) The Acting Legal and Democratic Services Manager look at past Standards Board for England cases that could be used for a mock hearing and discuss the findings with Members**
- (iii) The Acting Legal and Democratic Services Manager obtain written confirmation from the Standards Board of the procedure for informing local authorities regarding complaints made about members of the authority.**

**159. REVIEW OF MEMBERS ATTENDANCE**

Due to the concerns raised amongst District Council Members this item was deferred to a future meeting of the Standards Committee. The majority of concerns raised by District Members centred around the accuracy of the figures, if the information should be compiled and where the information should be published.

It was felt that Members attendance at meetings was an important part of local democracy and that Members attendance should be made available in some format, although not necessarily depicting individuals.

Some District Councillors felt that the attendance figures, recorded in the current format, were meaningless as only a small proportion of the work undertaken was recorded and other meetings that councillors attend were not taken into account.

**RESOLVED:**

**To withdraw this item from the agenda, in its current format and to bring details of members attendance back to a future Standards Committee meeting in a different format, to be decided at a future date to allow consultation on what should be recorded.**

**160. WORK PROGRAMME**

Members were asked to consider the future work programme for the Standards Committee. The following items were agreed to be incorporated into the work programme: -

- A mock hearing
- Annual Report by the Standards Board for England – a look at the variety of complaints received and the way investigations into complaints was conducted
- Review of West Wiltshire District Council complaint procedure, the number of complaints received and the way in which these complaints were handled.
- Review and assess the role of Standards Committee member and how the Standards Committee is performing against these roles.
- Code of Conduct - Further widespread training and information on what is/is not a breach of the code of conduct

**RESOLVED:**

**That the terms of reference be circulated to all Standards Members**

**DATE OF NEXT MEETING**

The next scheduled meeting of the Standards Committee has been rearranged for **Wednesday 25 January 2005** at **7.00pm** in **The 8trium**, at the Council Offices, Bradley Road, Trowbridge.

(6.30pm – 7.12pm)

These minutes were prepared by Melanie Stimpson; Member Support Officer who can be contacted on 01225 770322 or email [mstimpson@westwiltshire.gov.uk](mailto:mstimpson@westwiltshire.gov.uk).

The meeting was then adjourned to the Council Chamber to discuss the 'Review of the Constitution'.