

# Standards Committee

## Minutes

16 June 2003  
Committee Room 2  
Bourne Hill, Salisbury  
Commencing at 2.00 pm

1. **Present:**

Mrs M F Lewis (Independent Person), Mr G A Thompson (Independent Person), Councillors C G Mills and B M E Rycroft and Mr M Chandler (Parish Representative).

In attendance: Councillor J Walsh (Deputy Member), R G Crook (Deputy Parish Representative), Susan Tovey (Legal Services Manager/Monitoring Officer) and Mr P J Bellas (Senior Democratic Services Officer).

The Committee noted that Councillor J B Hooper (Deputy Member) had hoped to attend the meeting but, in view of the short agenda, it was unlikely that he would arrive before its conclusion.

2. **Election of Chairman:**

**Agreed** - that Mr G A Thompson be elected Chairman of the Committee for the remainder of the Municipal Year.

**MR G A THOMPSON - IN THE CHAIR**

3. **Election of Vice-Chairman:**

**Agreed** - that Mrs M F Lewis be elected Vice-Chairman of the Committee for the remainder of the Municipal Year.

4. **Public Question/Statement Time:**

There were no public questions or statements forthcoming.

5. **Minutes:**

**Agreed** – that the minutes of the last meeting held on 17<sup>th</sup> March 2003 be approved as a correct record and signed by the Chairman.

6. **Declarations of Interest:**

No interests were declared.

7. **Requests for Dispensations by Stourton with Gasper Parish Council:**

Consideration was given to the report of the Legal Services Manager/Monitoring Officer (previously circulated).

**Agreed -**

- (1) that in accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002, dispensations be granted to Members of Stourton with Gasper Parish Council as follows:-

**Richard Higgs** - A dispensation to take part in discussions and vote in relation to planning applications, entertainment licence applications and community issues relating to the National Trust save in respect of his own employment and tenancy and planning applications relating to Stourhead.

**Henry Hoare** - A dispensation to take part in discussions and vote in relation to planning applications, entertainment licence applications and community issues relating to the National Trust save in relation to those matters which may affect his own property or that of his sister.

**David Marks** - A dispensation to take part in discussions and vote in relation to planning applications, entertainment licence applications and community issues relating to the National Trust save in relation to his own tenancy.

**Harry Parker** - A dispensation to take part in discussions and vote in relation to planning applications, entertainment licence applications and community issues relating to the National Trust save in relation to his own tenancy.

**Catherine Spencer** - A dispensation to take part in discussions and vote in relation to planning applications, entertainment licence applications and community issues relating to the National Trust save in relation to her own tenancy.

- (2) that the dispensations granted under (1) above endure until 3rd May 2007.

8. **Matters of Urgency:**

Although the following matters did not appear on the agenda for the meeting the Chairman decided to take them as matters of urgency:-

- 1 **The Local Authorities (Code of Conduct) (Local Determination) Regulations 2003** - The Legal Services Manager/Monitoring Officer circulated copies of the above regulations and explanatory notes at the meeting. (A copy of the explanatory notes is attached to these minutes for information).

The Committee noted that the Regulations had been issued pursuant to Section 66 of the Local Government Act 2002 and set out the procedure for standards committees to follow when considering allegations of misconduct referred to them by the Standards Board. The Regulations did not cover the procedures to be followed when allegations of misconduct were to be investigated locally. These matters required primary legislation before the relevant regulations could be made.

The Legal Services Manager/Monitoring Officer reported that guidance on the Regulations was expected from the Standards Board. Once this had been received it was intended to draw up procedures to be followed locally and to arrange training for Members of the Committee.

Arising from the debate consideration was given the provision of legal advice to hearings conducted by the Committee. The Monitoring Officer reported that there was an issue of conflicting roles for monitoring officers when complaints were investigated locally as the monitoring officer would be expected to undertake the investigation and to advise the Standards Committee on procedure.

Whilst legislation was expected to allow monitoring officers to delegate their functions and a number of options were being considered, the Committee stated that its preference would be for advice at hearings to be provided personally by the Monitoring Officer.

- 2     **Standards Board's Code of Practice Video** - The Chairman reported that a letter had been received from the Standards Board stating that a video had been produced to help introduce the Code of Conduct and to provide clarification on some of the points known to have caused confusion.

According to the letter a copy of the video had been sent to all monitoring officers. However it had yet to be received by this Council. The Legal Services Manager/Monitoring Officer was asked to make arrangements for Members of the Committee to view the video, once received, possibly at the next meeting.

- 3     **Insurance** - At the request of the Chairman and further to minute 76 (1) (17/3/03), the Committee noted that the issue of insurance cover for the independent and parish representatives on the Committee had been passed to the underwriters of the Council's insurers. No response had been received prior to the meeting and the officers were requested to pursue this matter.

- 4     **Next Meeting** - Consideration was given to meeting arrangements for the next few months in view of the receipt of the Regulations referred to under (1) above. It was:-

**Agreed -**

- (1)     that the next meeting of the Committee scheduled for 21<sup>st</sup> July 2003 be held if the guidance awaited from the Standards Board on the new regulations is available; and
- (2)     that the meeting to be held on 21<sup>st</sup> August 2003 be cancelled.

The meeting concluded at 2.35 pm