

# Standards Committee

## Minutes

15 December 2003  
Committee Room 2  
Bourne Hill, Salisbury  
Commencing at 2.00 pm

24. **Present:**

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

In attendance: Councillor J B Hooper (Deputy Member), Mr R G Crook (Deputy Parish Representative), Mrs S J Tovey (Legal Services Manager/Monitoring Officer for items 29 to 33), Mrs J Ferguson (Principal Solicitor/ Deputy Monitoring Officer for items 24 to 28) Mr P J Bellas (Senior Democratic Services Officer for items 24 to 28) and Mr S Milton (Principal Democratic Services Officer for items 28 to 33).

Apologies were submitted from Councillor J Walsh (Deputy Member).

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

There were none.

26. **Minutes:**

**Agreed:** that the minutes of the last meeting held on 20<sup>th</sup> October 2003 be approved as a correct record and signed by the Chairman.

27. **Declarations of Interest:**

Councillor Mills raised his personal and political association with Councillor West in connection with item 28 below. The Chairman confirmed that so long as matters were confined to questions of process and procedure this would not constitute a prejudicial interest under the National Code of Conduct.

28. **Statement made at Standards Committee on 15<sup>th</sup> September 2003:**

The Committee considered a draft letter prepared by the Chief Executive (previously circulated) setting out the conclusions of a meeting held between the Chairman of the Council, Councillor Bissington, the Chairman of the Committee Mr G Thompson, Councillor West and the Chief Executive, Richard Sheard. The Chairman considered the letter to be a fair reflection of the agreements reached.

**Agreed:** that subject to the amendments set out below:

- Clarification that the reference to the Appeals panel being "politically balanced" means that it will, if possible, include representatives of all political groups; and
- Inclusion of an unequivocal statement that the complaint brought by Mr Edwards was unfounded and is now closed and that only the process followed will be reviewed; then

the contents of the letter be endorsed as the process to be adopted for the future consideration of those matters raised by Councillor West.

29. **Complaints to the Standards Board for England:**

The Committee considered the reports of the Legal Services Manager/Monitoring Officer (previously circulated). The Committee noted the decisions of the Standards Board clearing Cllr. Cole-Morgan and Cllr. Gruzelier, of West Dean Parish Council, of any breach of the Code of Conduct.

Having considered the decisions the Committee expressed a number of concerns about the process, particularly:

- The time taken to reach a decision;
- The fact that the complainant's identity is not disclosed - this may encourage the submission of vexatious or malicious complaints against Councillors;
- The fact that the Standards Board's findings are published on its website when findings of the Council's Standards Committee are not automatically published; and
- The need to ensure that Parish Councillors are fully aware of their own Codes of Conduct.

**Agreed:**

- (1) that a letter be sent to the Standards Board from the Chairman conveying the concerns raised by the Committee as set out above; and
- (2) that a letter be sent to each Parish Council in the District reiterating the need for all Councillors to be fully aware of the Mandatory Code of Conduct and drawing their attention to the summary of the mandatory Code of Conduct published by the Standards Board for England in fold out card form.

30. **Request for Dispensations by Tollard Royal Parish Council:**

The Committee considered the report of the Legal Services Manager/Monitoring Officer (previously circulated).

**Agreed:**

- (1) that in accordance with the letter submitted by the Parish Clerk and provided:
  - a. the consultation undertaken within the parish was clear about the need for enabling development to facilitate the renovation of the hall;
  - b. If (a) above is so confirmed, then any debate on the application be limited to details of approval (in accordance with the suggestion outlined in the letter received from the Parish Clerk); and
  - c. that the Councillors so dispensed limit their comments to issues of detail and not on the principle of approval or refusal; then

Councillors Carlyle-Clark and Witt be granted dispensations allowing them to speak and vote on the matter in question; and

- (2) That in view of the proximity of Councillor Seymour's property to the development site the application for a dispensation on his behalf is refused.

31. **Code of Conduct Dispensation:**  
The Committee considered the report of the Legal Services Manager/Monitoring Officer (previously circulated).
- Agreed:** that a Sub-Committee be formed to adjudicate on requests for dispensations, the composition to be:
- (1) *In relation to Salisbury District Council Members:*  
Three members; one Independent Person and one District Councillor together with either the other Independent Person or another District Councillor, whoever is available at the time the sub-committee is convened; and
  - (2) *In relation to Parish Councillors:*  
Three persons; one Independent Person, one District Councillor and the parish council representative or, if he or she is absent or the dispensation concerns his or her parish, the deputy parish council representative.
32. **Recruitment of Independent Person:**  
The Committee considered the report of the Legal Services Manager/Monitoring Officer (previously circulated).
- Agreed:**
- (1) that Officers continue to be responsible for drawing up a suitable shortlist following advertisement of a vacancy for Independent Persons on the Standards Committee, provided that they seek advice from the Appointments Panel should they consider it necessary;
  - (2) that an Appointments Panel be established which should include the remaining Independent Person and each group on the Council be invited to nominate a representative to sit on the panel, provided this shall exclude all Councillors who sit on the Standards Committee;
  - (3) that the appointment of Parish Representatives be reviewed and a report be presented to a future meeting; and
  - (4) that the Council's Constitution be revised to incorporate these and other changes that have been introduced since the formation of the Standards Committee.
33. **Programme of meetings:** The following provisional dates were approved:
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|----------------------------------|---------------------|
| 26 <sup>th</sup> January, 2004   | Committee Room No 2 |
| 16 <sup>th</sup> February, 2004  | Committee Room No 1 |
| 15 <sup>th</sup> March, 2004     | Committee Room No 2 |
| 19 <sup>th</sup> April, 2004     | Committee Room No 1 |
| 17 <sup>th</sup> May, 2004       | Committee Room No 2 |
| 21 <sup>st</sup> June, 2004      | Committee Room No 1 |
| 19 <sup>th</sup> July, 2004      | Committee Room No 2 |
| 16 <sup>th</sup> August, 2004    | Committee Room No 1 |
| 20 <sup>th</sup> September, 2004 | Committee Room No 2 |
| 18 <sup>th</sup> October, 2004   | Committee Room No 1 |
| 15 <sup>th</sup> November, 2004  | Committee Room No 2 |
| 20 <sup>th</sup> December, 2004  | Committee Room No 2 |