

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Standards Committee held on
Wednesday, 14 September 2011 at 10.00 a.m.

PRESENT:	Diane Best	Independent Member
	Rick Bristow	Parish Council Member
	Nigel Cathcart	District Council Member, non-group
	Kathy English	Independent Member
	Michael Farrar	Parish Council Member
	Roger Hall	District Council Member, Conservative Group
	Alan Hampton	Independent Member
	John House	Independent Member
	Simon Martin	Parish Council Member
	Cicely Murfitt	District Council Member, non-group
	Tony Orgee	District Council Member, Conservative Group
	Raith Overhill	Independent Member
	Mary Pilfold-Allan	Independent Member
	Eric Revell	Independent Member
	Alex Riley	District Council Member, Independent Group
	Jim Stewart	District Council Member, Liberal Democrat Group
	James Williams	Independent Member
Officers:	Holly Adams	Democratic Services Team Leader
	Maggie Jennings	Democratic Services Officer
	Virginia Lloyd	Lawyer
	Fiona McMillan	Deputy Monitoring Officer

1. DECLARATIONS OF INTEREST

Councillor Alex Riley declared a personal interest in item 8, Longstanton Parish Council: Dispensation Requests, as he knew the applicants. He remained in the room during the debate but did not participate in the vote.

2. ELECTION OF CHAIRMAN OF THE STANDARDS COMMITTEE 2011/12

On the nomination of Alan Hampton, seconded by Michael Farrar, it was unanimously **AGREED** that Kathy English be elected Chairman of the Standards Committee for the 2011/12 civic year.

3. APPOINTMENT OF VICE-CHAIRMAN OF THE STANDARDS COMMITTEE 2011/12

On the nomination of Michael Farrar, seconded by Cicely Murfitt, it was unanimously **AGREED** that Alan Hampton be appointed Vice-Chairman of the Standards Committee for the 2011/12 civic year.

4. CHAIRMAN'S ADDRESS

The Chairman thanked the Committee for her re-election and spoke of her hopes that 2011/12 would be a more productive year than 2010/11 now that Parliament was beginning to address the changes to the standards regime announced in June 2010. She thanked members for their continued interest in standards and support of the Committee.

5. MINUTES OF PREVIOUS MEETINGS

The Chairman signed the minutes of the 9 March and 28 July 2011 meetings as correct records.

6. 2011/12 APPOINTMENTS TO STANDARDS COMMITTEE PANELS ESTABLISHED UNDER THE STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008

The Committee considered the 2011/12 panel appointments and felt that the recommendations proposed retained enough flexibility to involve other Standards Committee members if required to form quorate panels. On the proposal of Councillor Alex Riley, seconded by Alan Hampton, the Standards Committee **AGREED**:

- (a) to re-appoint the 2010/11 panel memberships to continue as the Standards Committee Local Assessment Panel, Standards Committee Local Hearings Panel and Standards Committee Review Panel for 2011/12:

Standards Committee Local Assessment Panel

Diane Best	Independent Member
Rick Bristow	Parish Council Member
Michael Farrar	Parish Council Member
Alan Hampton	Independent Member
John House	Independent Member
Janet Lockwood	District Council Member
Eric Revell	Independent Member
Alex Riley	District Council Member
Jim Stewart	District Council Member

Standards Committee Hearings Panel

Rick Bristow	Parish Council Member
Kathy English	Independent Member
Michael Farrar	Parish Council Member
Alan Hampton	Independent Member
John House	Independent Member
Simon Martin	Parish Council Member
Cicely Murfitt	District Council Member
Tony Orgee	District Council Member
Raith Overhill	Independent Member
Alex Riley	District Council Member

Standards Committee Review Panel

Nigel Cathcart	District Council Member
Roger Hall	District Council Member
Simon Martin	Parish Council Member
Mary Pilfold-Allan	Independent Member
James Williams	Independent Member

- (b) and that all members of the Committee be eligible to serve on any of the panels as required, for example, if any of the appointed members were unable to participate due to a conflict of interest or were otherwise unavailable.

7. **LONGSTANTON PARISH COUNCIL: REQUESTS FOR DISPENSATIONS**

Requests for dispensations from matters concerning the Village Institute Charity had been received from six members of Longstanton Parish Council, as the Trustees of the Charity were the Parish Councillors and without dispensations the Parish Council might not remain quorate when discussing issues relating to the Charity's policies and procedures. It was noted that one of the six applicants had since resigned from the Parish Council.

The Committee expressed concern that applications had not been received from all Parish Councillors, but noted that this could stem from some Parish Councillors opting not to become Trustees. The Democratic Services Team Leader undertook to write to the Parish Clerk requesting that any other Parish Councillors who were also Trustees of the Village Institute Charity apply for dispensations.

On the proposal of Councillor Cicely Murfitt, seconded by Alan Hampton, the Standards Committee **AGREED** to grant dispensations until May 2012, the duration of the current Parish Council, to Longstanton Parish Councillors Françoise Close, Andrew Kessell, Brian Meacher, Lindsey Meacher and A Moran in respect of issues concerning the Village Institute Charity policies and procedures, hire charges and fundraising, with the reminder that they are still to declare an interest in any matters concerning the Village Institute Charity and to declare that they have received a dispensation for that interest.

8. **STANDARDS COMMITTEE BUDGET 2010/11**

The Standards Committee **NOTED** the 2010/11 budget report and remarked upon the cost to the authority to publish decision notices in the newspaper.

9. **UPDATES FROM ASSESSMENT AND REVIEW PANELS**

Eric Revell, Local Assessment Panel Chairman, drew attention to the volume of complaints and the heavy workload being generated by a small number of parish councils. He also commended the fact that no complaints had been made about District Councillors for several years. Due to the amount of officer involvement giving advice to parties who later submitted complaints, a large number of allegations had been referred to Standards for England. The Local Assessment Panel would welcome a change to its procedure to allow evidence to be submitted by subject members prior to assessment, to enable the Panel to form a more balanced view and possibly reduce the number of cases investigated.

The Democratic Services Team Leader undertook to add a note to future updates to indicate the source of complaints: at present the volume of complaints was being generated by a very small number of parish councils, but the report did not make this clear.

The panel updates were **NOTED**.

10. **ADVICE TO, AND TRAINING OF, DISTRICT AND PARISH COUNCIL MEMBERS IN RELATION TO THE MEMBERS' CODE**

The Committee had not undertaken any district or parish councillor training during the hiatus following the Government's announcement that changes would be made to the standards regime, but continued to circulate to councillors and clerks any new information about the form the changes would take.

The Standards Committee **NOTED** the information circulated.

11. FEEDBACK FROM FUTURE OF STANDARDS WORKING GROUP

Kathy English, Chairman of the Future of Standards Working Group, circulated the Working Group's Terms of Reference. It was confirmed that the current version of the Localism Bill suggested that the District Council would not be required to regulate parish council standards, although amendments moved in early September would, if agreed, require that the Monitoring Officer retained the responsibility to maintain parish councillors' registers of interests. The extent to which the District Council would be involved with other parish council standards matters if not required to by law would be a matter for the full Council to determine, and it was noted that there would be a large resource requirement and therefore likely that a charging scheme would form part of the recommendations to Council.

The Localism Bill also placed a duty on parish councils to uphold high standards of conduct, and parish councils could discharge this responsibility by appointing their own standards committees. The Committee acknowledged that some parish councils could struggle to regulate their own standards matters when relationships amongst parish councillors had broken down. Some Committee members reported that their parish councils did not want to bear the responsibility for self-regulation, or that their clerks would not want to give advice on standards matters, which could place them in a difficult position.

The Committee **NOTED** the responses to the survey and would consider re-running the survey once the Localism Bill had been finalised.

12. LOCAL INVESTIGATIONS, HEARINGS AND REFERENCES MADE TO STANDARDS FOR ENGLAND

The Deputy Monitoring Officer informed the Committee that the Investigating Officer's report into one of the matters was due to be finalised shortly and that the Hearing Panel would need to consider the findings. Two new allegations about the conduct of parish councillors had been received since the publication of the Standards Committee agenda.

The Committee **NOTED** the report.

13. OPERATION OF NATIONAL CODES OF CONDUCT AND OTHER STATUTORY FUNCTIONS OF THE MONITORING OFFICER

The Deputy Monitoring Officer summarised the amendments to the Localism Bill recently proposed by members of the House of Lords:

- There would be a national model Code of Conduct issued, likely through the Local Government Association, which would provide consistency;
- Authorities would retain their Standards Committees with a minimum of 25% independent membership and an independent member as Chairman;
- Voting rights for independent Standards Committee members would be retained;
- The proposals for criminal sanctions for misconduct would be removed; and
- A national appeals panel would receive applications from complainants or subject members dissatisfied with the local Standards Committee's decisions.

The proposed amendments were yet to be debated, but were supported by the National Association of Local Councils and by the Association of Council Secretaries and Solicitors. The Committee commented that the amendments failed to address the administrative procedures for assessing, investigating and determining complaints, which it felt was the

area most in need of significant review.

The Standards Committee **NOTED** the information.

14. OPERATION OF THE COUNCIL'S "WHISTLE-BLOWING" POLICY

Nothing to report.

15. DATE OF NEXT MEETING

Noted.

The Meeting ended at 10.54 a.m.
