

**CIVIC AFFAIRS COMMITTEE**  
**MONDAY, 24 SEPTEMBER 2012**

**DECISIONS**

Set out below is a summary of the decisions taken at the Civic Affairs Committee held on Monday, 24 September 2012. Decisions made by the Portfolio Holder will be subject to call-in. Recommendations made to the Cabinet or to the Council are not subject to call-in. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Patrick Adams 03450 450 500.

**1. UPDATE ON COMPLAINTS AND CONFIDENTIALITY REQUIREMENTS**

The Committee

**AGREED** to

- A)** Resolve that all ongoing cases be subject to a requirement of confidentiality by all participants in the process until such time as the case is concluded.
- B)** Resolve that, where a conclusion has been reached that the code of conduct has not been breached, the identity of the councillor remains confidential, unless the councillor wishes otherwise.
- C)** Resolve that where a conclusion has been reached that the code of conduct has been breached but that no hearing is necessary due to summary resolution that the investigation report will be published when the case is reported back to the committee.
- D)** Resolve that where a conclusion has been reached that the code of conduct has been breached and that summary resolution is not appropriate/ possible that the investigation report will remain confidential until such time as the hearing into the complaint takes place, at which stage it will be published.

**Other Options Considered:** No alternative options were considered.

**Reason For Decision:** To enable information regarding complaints to be treated as confidential until such time as they are concluded so that information is not released which may be prejudicial to the conduct of the complaints process and to protect the identity councillors who have not breached the Code of Conduct.

**2. REVISED HEARING PROCEDURE**

The Committee

**AGREED** to

- A)** Delegate authority to the Monitoring Officer to amend the Hearings Procedure, attached at appendix 1 of the agenda.
- B)** Adopt the list of potential sanctions available to the Committee as part of the complaints procedure.
- C)** Appoint Councillors Alison Elcox, Douglas de Lacey, Janet Lockwood, Mick

Martin, Raymond Matthews, Jim Stewart, Edd Stonham, Robert Turner and Bunty Waters as members of a sub-committee from which three members would be asked to sit as a Hearings Panel on each occasion, with the rest of the Committee appointed as substitute members of the sub-committee.

**Other Options Considered:** To consider amending the sanctions available to the Committee.

**Reason For Decision:** To enable the Committee to adopt a “lighter touch” approach to hearings compared to the procedure used by the Standards Committee under the former complaints process and to agree on possible sanctions to be used where necessary.

### **3. GENERAL DISPENSATION REQUESTS**

The Committee

#### **RESOLVED**

- A)** To make a recommendation to Full Council that a decision to apply for and grant a general dispensation is ratified by Full Council as technically the Localism Act 2011 requires each member to make an individual application in writing for a dispensation and this resolution should satisfy these requirements.
- B)** To grant dispensations to all members of South Cambridgeshire District Council from the requirements of Section 31(4) of the Localism Act 2011 on the basis that without the dispensation the number of person prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business, such dispensation to take effect from 24<sup>th</sup> August 2012 for a period of four years. The dispensation to apply to the following decisions:
- (i) Housing, where the Member is a tenant of the authority; provided that those functions do not relate particularly to that Member’s tenancy or lease
  - (ii) Any allowance, payment , pension or indemnity given to Members
  - (iii) Setting Council Tax or a precept under the Local Government Finance Act 1992

**Other Options Considered:**

**Reason For Decision:** To enable all members to continue to participate in matters where they had previously been given a general dispensation under the old Code of Conduct.

### **4. CODE OF CONDUCT TRAINING FOR COUNCILLORS AND COMMITTEE MEMBERS**

The Committee **DEFERRED** this decision.

**Other Options Considered:**

**Reason For Decision:**