

**STANDARDS COMMITTEE held at 6.30pm at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 17 AUGUST 2000**

Present:- Councillors Mrs C A Cant, Mrs M A Caton, Mrs C D Down and
R D Green
Mr S A Brady and Mr M A Hall (Independent Persons)

Officers in attendance:- Mrs E Forbes, A Forrow and Mrs J Postings

S1 APPOINTMENT OF CHAIRMAN

RESOLVED that Mr S A Brady be appointed Chairman for the meeting.

S2 DECLARATIONS OF INTEREST

Councillor Mrs M A Caton felt it right to place on record that she was the Group Leader of the Member the subject of item 3 on the Committee's agenda.

S3 CONSIDERATION OF A COMPLAINT

The Meeting was joined by the Councillor who was the subject of a complaint which fell to be considered.

The Councillor concerned commented that the procedure set out in pages E24 to E27 of the Members' Handbook had not been followed to the letter in that the Monitoring Officer had discussed the situation with the Chief Executive prior to deciding that the complaint warranted a full investigation. According to the procedure, such consultation should take place if the Monitoring Officer considered that the complaint did not warrant a full investigation. It was noted that this was a new procedure and the particular step referred to did not preclude the Monitoring Officer consulting the Chief Executive at other stages of the procedure.

The Councillor concerned had requested that the complainant should attend the meeting but the complainant had declined to do so. In the complainant's absence, the Councillor did not consider that a fair hearing was possible.

The Committee noted that it was not known why the complainant had declined to attend the meeting.

The Committee then considered the report prepared by the Monitoring Officer. The substance of the complaint was that the Councillor had used District Council notepaper when making representations to another public body concerning members of his family. The complainant considered that this amounted to using the Councillor's public position for private purposes.

The Councillor concerned strongly denied the imputation, stating that he had been making representations on behalf of constituents who also happened to be members of his family. The Committee then questioned the Councillor and the Monitoring Officer.

The Councillor, the Chief Executive and the Monitoring Officer then left the meeting and the Committee considered its decision.

The Chief Executive and the Monitoring Officer then rejoined the meeting and it was agreed that the Committee's decision should be relayed to the Councillor concerned, who had had to leave owing to other commitments, as soon as possible the following day.

RESOLVED that

- 1 The Committee accepts that the intent of the Councillor concerned was to make a complaint to a public body on behalf of individuals who were his constituents, two of whom also happened to be members of his family.
- 2 However, it considers that he was imprudent to use Council headed notepaper in making his complaint which could, and did, lead to the perception that he was using his public position as a District Councillor in the pursuit of family interests.
- 3 The Committee considers that the circumstances of the complaint highlight the difficulties Councillors face when family issues are involved. It feels that in such circumstances, Councillors should seek advice before acting, or put the matter in the hands of a fellow Councillor.
- 4 The Committee regrets that the Chairman of the public body concerned chose not to attend the meeting.

S4 GUIDANCE ON GIFTS AND HOSPITALITY

The Committee was informed that guidance had been prepared for Officers on accepting gifts and hospitality and this guidance had been incorporated into Personnel Policy Note 62, which the Committee had before it. It was suggested that this guidance might be useful for Members as well as Officers. The Members' Register of Gifts and Hospitality was kept by the Members' Assistant.

RECOMMENDED that the Council adopt the guidance on gifts and hospitality.

The Chairman agreed to the following two items of business being considered on the grounds that both concerned consultation papers on which comments were required by the 31 and 16 October respectively and it was not known when the Committee would next meet.

S5 DETR CONSULTATION PAPER – DRAFT GENERAL PRINCIPLES OF CONDUCT

DETR had issued a consultation paper containing a set of draft principles of conduct which would be one of the components of the new ethical framework for local government introduced by the Local Government Act 2000. One or two minor changes of wording were suggested, but it was considered that the Council might wish to adopt the general principles and incorporate them in its Code of Conduct.

RECOMMENDED that

- 1 the DETR be informed that the Council was in favour of the draft general principles and

- 2 the Council approve the principles and incorporate them into its Code of Conduct.

S6 LGA CONSULTATION PAPER – MODEL CODE OF CONDUCT FOR MEMBERS

The LGA had issued a consultation paper on the development of a model code of conduct for Members on which comments were required by 16 October 2000. The Members of the Committee had not had the opportunity to consider the paper and it was suggested that they submit any comments to the Monitoring Officer to enable her to comment by the due date. It was

RESOLVED accordingly.

The meeting ended at 8.50pm.