

**STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 4.00 pm on 20 JANUARY 2004**

Present:- Councillors C A Cant, C D Down, V J T Lelliot and R M Lemon (Uttlesford Members). Mr S Brady (Independent Person) and Councillors D James and R A Merrion (Town and Parish Councils).

Officers in attendance:- C Hughes, M J Perry and M T Purkiss.

S8 APPOINTMENT OF CHAIRMAN

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

S9 DECLARATIONS OF INTEREST

Mr S Brady declared an interest in item 5 – Reference from the Independent Remuneration Panel, as he was the current Chairman of the Standards Committee.

Councillors Cant, Down and Merrion declared interests as Members of SSE.

S10 MINUTES

The Minutes of the meeting held on 23 July 2003 were received, confirmed and signed by the Chairman as a correct record.

S11 REFERENCE FROM THE INDEPENDENT REMUNERATION PANEL

Mr Brady, having declared a prejudicial interest in this item left the meeting for the consideration and voting thereon. Councillor Lemon was appointed Chairman for consideration of this item. The Head of Legal Services reported that at the last Council meeting, it had been agreed that a special responsibility allowance be payable to the Chairman of the Standards Committee. It had been the previous practice to alternate the chair between the two independent persons. However, the Independent Remuneration Panel had suggested that continuity in the chairmanship of this important Committee was essential and that a permanent chairman should be appointed for each year.

It was

RESOLVED that

- 1 to ensure continuity, a permanent chairman be appointed for each year; and
- 2 Mr S Brady be appointed Chairman of the Standards Committee for the remainder of the Council year.

REQUESTS FOR DISPENSATION

Councillors Cant, Down and Merrion, having declared prejudicial interests, left the meeting for the consideration and voting thereon. Members recalled that at the meeting in April 2003, they had been advised of the circumstances where the Committee could grant dispensations permitting Members of the Council or its committees to take part in meetings notwithstanding the fact that they would be otherwise prevented from doing so by virtue of the Code of Conduct.

It was now evident that more than half of all Councillors and more than one half of Members of the Development Control Committee were Members of the Stop Stansted Expansion Campaign (SSE).

The Head of Legal Services advised that, given the aims of SSE, whenever the possibility of a second runway was being discussed, the interest must be prejudicial requiring Members of SSE to withdraw from any meetings of the Council or its committees when the item was under consideration.

The issues surrounding the airport were sensitive and of great public interest. Constituents could well feel disenfranchised if their representatives were unable to be present and speak when the airport was under discussion. Members themselves felt strongly that they ought to have a voice on such an important issue which, whilst part of Government policy, had immense local impact.

The Head of Legal Services reported that 25 requests had been received in broadly the following terms:

“I wish to apply to the Standards Committee for a dispensation to permit me to attend and speak at meetings of the Council and its committees when issues relating to Stansted Airport, and in particular the issue of additional runways, are discussed notwithstanding the fact that I have a personal and prejudicial interest in such matters by virtue of my membership of the Stop Stansted Expansion Campaign. I understand that more than one half of the Members of the Council are also Members of that organisation and have a similar prejudicial interest. For that reason and because the issue is one of major local, regional and national importance, I consider a dispensation should be granted in this instance.” Members of Development Control Committee made similar requests with regard to that Committee.

The Head of Legal Services said that the Committee would need to determine whether to agree the principle of granting dispensations and whether to permit such Members to be able to speak and vote on such issues. He added that guidance would be issued to Members of the Development Control Committee about resigning from SSE when the planning application for additional runways was received and the need to deal with the planning application strictly on its planning merits. He said that dispensation was not required in relation to the expansion of the airport above 25 mppa, but Members of the Development Control Committee should not do anything which prejudged determination of such an application.

RESOLVED that

- 1 the principle of granting dispensation in this case be approved and Members receiving such dispensation be permitted to speak and vote at meetings where additional runways at Stansted Airport are under consideration.
- 2 Councillor Bayley be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 3 Councillor Boland be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 4 Councillor Bowker be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 5 Councillor Cant be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 6 Councillor Cheetham be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 7 Councillor Corke be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 8 Councillor A Dean be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 9 Councillor C Dean be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 10 Councillor Down be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.

- 11 Councillor Flack be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 12 Councillor Foley be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 13 Councillor Godwin be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 14 Councillor Harris be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 15 Councillor Hughes be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 16 Councillor Ketteridge be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 17 Councillor Loughlin be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 18 Councillor Marchant be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 19 Councillor Menell be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 20 Councillor Morson be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 21 Councillor Murphy be permitted to attend and speak at meetings of the Council and its Committees when issues relating to

Stansted Airport, and in particular, the issue of additional runways, are discussed.

- 22 Councillor Pedder be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 23 Councillor Row be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 24 Councillor Savage be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 25 Councillor Thawley be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 26 Councillor Wilcock be permitted to attend and speak at meetings of the Council and its Committees when issues relating to Stansted Airport, and in particular, the issue of additional runways, are discussed.
- 27 The above dispensations to be valid until 3 May 2007, except in the case of Members of the Development Control Committee, where the dispensation would run until the submission of a planning application for additional runways at Stansted Airport or until 3 May 2007 whichever was the earlier.

S13

FUTURE MEETINGS

The Committee & Communications Manager submitted a report suggesting that meetings of the Standards Committee be held at 4.00 pm on the following dates:

Monday 22 March 2004
Monday 24 May 2004
Monday 19 July 2004
Monday 13 September 2004 (subject to review)
Monday 15 November 2004
Monday 17 January 2005

RESOLVED that the above calendar of meetings be approved.

S14

PARISH REPRESENTATION ON THE STANDARDS COMMITTEE

Members were advised that there had recently been difficulties in filling a vacancy on the Committee and Members views were sought on the steps to be taken to appoint parish council representatives to the Standards Committee in the future.

The Council's current Procedure Rules provided for the Standards Committee to comprise of two independent members, four Members of the Council and two parish councillors. After consideration of a number of options, it had been decided previously that the parish council representatives on the Committee should be nominated by the Uttlesford Association of Local Councils (UALC). However, there had been a recent problem where the UALC had failed to nominate a replacement for six months. It was explained that the lack of a second parish councillor could cause difficulties, as a parish council representative must be present when a parish issue was being considered.

The Committee noted that representations had been received from Great Dunmow and Saffron Walden Town Councils and Stansted Mountfitchet Parish Council suggesting that one of the two town/parish council representatives should be nominated by the larger local councils in the District. Members discussed this and other options, but felt that the size of the parish or town council was not relevant and the general principles were the same for all councils. It was therefore

RESOLVED that

- 1 when a vacancy occurs, the Council writes to all town and parish councils asking them to submit nominations to the UALC, but to copy any correspondence to this Council; and
- 2 the Great Dunmow and Saffron Walden Town Councils and Stansted Mountfitchet Parish Councils be advised of the above decision.

S15

UPDATE ON THE STANDARDS BOARD AND THE ADJUDICATION PANEL

The Head of Legal Services submitted a detailed report on the workings of the Standards Board and the Adjudication Panel.

S16

TRAINING FOR STANDARDS COMMITTEE MEMBERS

The Head of Legal Services said that there was an urgent need for training, particularly in dealing with allegations of misconduct on the part of Councillors. He said that the Adjudication Panel were meeting at Ipswich on 5 February 2004 and asked whether Members would wish to attend this hearing. He also suggested that role-playing could be useful in training Members of the Standards Committee, but there was no budget available for this at present. Following discussion, it was evident that Members of the Committee would not be able to attend the hearing on the date suggested.

RESOLVED that

- 1 officers make arrangements to attend a future hearing at a location near to Uttlesford; and
- 2 the Resources Committee be advised of the possible need for a budget for training for Members of the Standards Committee.

S17

MEMBER/OFFICER PROTOCOL

The Chairman agreed to the consideration of this item on the grounds of urgency as it was necessary to undertake work before the next meeting. The Head of Legal Services explained that the Quality of Life Plan required that a review be undertaken of the Member/officer protocol and asked for guidance from the Committee on how they wished to approach this matter. It was suggested that the three political groups be asked to appoint a working party to identify what areas of concern there were to Members.

RESOLVED that the above approach be adopted.

S18

REQUESTS FOR DISPENSATION

Councillors Cant, Down and Merrion having declared prejudicial interests, left the meeting for the consideration and voting on this item. The Committee returned to the previous item on the agenda as contained in Minute S12 and considered a further request for dispensation which had been received during the meeting. Councillor Artus had asked for a dispensation to permit him to attend and speak at meetings of the Council and its committees when issues relating to Stansted Airport, and in particular the issue of additional runways, are discussed notwithstanding the fact that he had a personal and prejudicial interest in such matters by virtue of his membership of the Stop Stansted Expansion campaign. He understood that more than one half of the Members of the Council are also Members of that organisation and had a similar prejudicial interest. For that reason and because the issue is one of major local regional and national importance, he considered that a dispensation should be granted in this instance.

RESOLVED that Councillor Artus be granted a dispensation at meetings of the Council and its committees in the terms set out above and as explained in Minute S12.

The meeting ended at 5.15 pm.