

**STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 4.00 pm on 17 JANUARY 2005**

Present:- S Brady – Chairman and Independent Person.
Councillors C A Cant, C D Down, V J T Lelliott and R M Lemon
(Uttlesford Members), M Hall (Independent Person) and
Councillor R M Merrion (Town and Parish Councils).

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

S22 **MINUTES**

The Minutes of the meeting held on 15 November 2004 were received, confirmed and signed by the Chairman as a correct record.

S23 **BUSINESS ARISING**

(i) Minute S19(iv) – Complaint to the Standards Board For England

The Executive Manager (Corporate Governance) said that a draft report had been received concerning the complaint about two parish councillors but it was unlikely that it would be referred to this Committee for determination.

(ii) Minute S19(v) – Update on Training

The Chairman said that he would raise an issue regarding training at the end of the meeting.

(iii) Minute S19(vi) – Membership of Standards Committee

Notification had been received from the Uttlesford Association of Local Councils that it had considered two nominations from local councils for membership of the Standards Committee. After careful consideration the Association had put forward Councillor Philip Leeder and this nomination would be considered at the District Council's meeting on 15 February 2005.

S24 **FEEDBACK FROM ADJUDICATION PANEL HEARING AT NEWMARKET**

Following the hearing of the Adjudication Panel for England at Newmarket on 23 November 2004 Members had received a copy of the full decision issued by the Adjudication Panel together with a summary submitted by Mr S Brady, the Chairman of the Committee.

S25 **STANDARDS BOARD FOR ENGLAND ROAD SHOWS**

It was noted that the Standards Board for England would be holding a number of Road Shows for the purpose of updating Members of Standards

Committees and officers serving such committees and also to facilitate exchanges of views and information with other authorities.

The Standards Board had suggested that the Monitoring Officer and two Members of the Committee should attend.

RESOLVED that the Executive Manager (Corporate Governance), Mr S Brady and Councillor C A Cant be appointed to attend the Road Show at London on 21 June 2005.

S26

REPORT ON THE OUTCOME OF AN INVESTIGATION BY THE STANDARDS BOARD INTO AN ALLEGATION OF A BREACH OF THE CODE OF CONDUCT BY A MEMBER

The Executive Manager (Corporate Governance) reported that on 11 September 2003 an allegation had been made to the Standards Board for England that a Member of the Council had breached the Members' Code of Conduct. The Board had accepted the allegation and referred it to an Ethical Standards Officer for investigation.

The complaints were that the Councillor had failed to observe the Council's Code of Practice for probity and planning and thereby had brought her office of authority into disrepute. It was also further alleged that at three meetings the Member had failed to disclose a personal interest, namely that she knew a prospective developer who intended to submit a planning application for development within the district and that a close relative of hers might have been employed on the site.

The Ethical Standards Officer concluded that by failing to observe the provisions of the Council's Planning Code of Practice the Member concerned had brought her office of authority into disrepute. On the facts, however, the officer concluded that the prospective developer and the Member were acquaintances, not personal friends. Further, the Member's relative was not employed at the site at any time. In the circumstances the Ethical Standards Officer found that the Member did not have a personal interest and there was therefore nothing further for her to declare at the meetings.

With regard to the allegation that the Ethical Standards Officer found proved he took account of the fact that the failure to comply with the Code of Practice was not deliberate or malicious and that the Member concerned had attended training workshops on the Code of Conduct and that in the circumstances therefore no action need to be taken.

The Standards Committee noted the report and determined that no further action was required. However, Members were concerned that the complaint had taken over twelve months to be dealt with and were particularly concerned at the stress and anxiety that such a delay had caused to the Member concerned. However, it was noted that due to the way the Act was drawn it was not possible for a councillor under investigation to seek counselling because of the requirement for confidentiality.

The Committee felt that the Standards Board should be urged to shorten the time taken to deal with such complaints or allow some reciprocal arrangement between councils or allow some counselling in confidence. Councillor Cant said that she would prepare a briefing paper and the issue would be raised at the Standards Board for England Road Show.

S27

BULLETINS AND TRAINING

The Chairman said that he wished to raise these matters prior to the next meeting as progress was needed urgently.

The Chairman referred to Standards Bulletin No 22, the Standards Committee News No 3 and the Parish Standard No 2.

In relation to training the Chairman said that the training of Members of district, parish and town councils on the Code of Conduct was of vital importance and was the responsibility of this Committee. He therefore suggested that training should be a standard item on future committee agenda.

He also referred to the Standards Board publication "The Code to Protect You" and suggested that this be circulated to all Members of the Council and said that councillors should be made aware of the Standards Committee's concern that a better understanding of the Code of Conduct was essential as prevention was better than cure. He also asked that this matter be drawn to the attention of Members at the next Full Council meeting.

S28

UTTLESFORD ASSOCIATION OF LOCAL COUNCILS

The Executive Manager (Corporate Governance) reported that the Uttlesford Association of Local Councils had submitted a number of requests for dispensations to enable its executive committee members to speak on issues relating to Stansted Airport. However, he said that the Association was not a relevant authority and the Code did not apply. He would advise the Association's members as soon as possible.

The meeting ended at 5.00 pm.