

**Committee:** Standards Committee  
**Date:** 17 January 2005  
**Agenda Item No:** 5  
**Title:** Standards Board for England Road Shows  
**Author:** Michael Perry (01799) 510416

### **Summary**

- 1 This report is to inform members of a series of road shows to be held by the Standards Board for England in 2005 and requests members to nominate delegates to attend one or more sessions.

### **Background**

- 2 The Standards Board have previously run 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 last such road show was in March 2003, the Standards Board now propose running a series of road shows between February 2005 and June 2005. All sessions are scheduled to commence at 2.00 p.m. and finish at 5.00 p.m. Subjects to be covered are the Code of Conduct (which will be the subject of consultation prior to a review of the Code), the local agenda for investigations and hearings, best practice for ethical authorities and "open house" surgery where representatives of the Standards Board will respond to questions.
- 3 The two venues considered most suitable for delegates from this authority are Norwich on 7 June 2005 or London on 21 June 2005. Local authorities are being given the opportunity to send up to three delegates to one event. The Standards Board suggests that the Monitoring Officer and two members of the committee may wish to attend. There is no charge for delegates attending these road shows.

RECOMMENDED that members determine whether to send delegates to the road show and if so which road show will be attended and which delegates should attend.

BACKGROUND PAPERS: The Standards Board for England Road Show 2005 Programme.

**Committee:** Standards Committee  
**Date:** 17 January 2005  
**Agenda Item No:** 6  
**Title:** 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  
**Author:** Michael Perry (01799) 510416

### **Summary**

- 1 On 11 September 2003 an allegation was made to the Standards Board for England that a member of the Council had breached the Members' Code of Conduct. The Board accepted the allegation and referred the same to an Ethical Standards Officer (ESO) for investigation. This report is to inform members of the outcome of that investigation and requests members to determine whether any action is required on the part of the committee in the light thereof.

### **Background**

- 2 The complaints were that the Councillor had failed to observe the Council's Code of Practice for probity in planning and thereby brought her office or 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 may have been employed on the site.
- 3 The Council has a code of practice for probity in planning. The relevant part of that code is as follows:-

“Paragraph 26 - Councillors should not meet applicants or agents or third parties in connection with a current or proposed application. If Councillors do agree to meet they should only do so in the presence of a Planning Officer. In exceptional circumstances, where it is not possible to arrange a meeting in the presence of a Planning Officer without causing undue delay Councillors should notify the relevant Planning Officer of the proposed meeting beforehand and the notification recorded in the application file.”
- 4 It was alleged and admitted that on 2 August 2003 and the 5 August 2003 the member concerned visited a prospective development site with other members of the Council (including members of the Development Control Committee) and the prospective developer. The member prepared a note of the first site visit only in which she described the mood of members as being “enthusiastic”. It was alleged that the prospective developer was a personal

friend of the member and that a close relative of hers may have been employed on the site. She ought therefore to have declared this friendship as a personal interest both at the site visits and at a meeting of the Development Control Committee on 15 December 2003 which the member attended (although not a member of that committee).

- 5 The member maintained that the site visits were exceptional because of a deadline for submitting planning applications. The ESO did not accept that explanation and commented that no note had been taken of the second of the visits. He concluded that by failing to observe the provisions of the Council's planning code of practice the member concerned had brought her office or authority into disrepute.
- 6 On the facts, however, the ESO concluded that the prospective developer and the member were acquaintances, not personal friends. Further the members' relative was not employed at the site at anytime. In the circumstances the ESO found that the member did not have a personal interest and there was therefore nothing for her to declare at the meetings.
- 7 With regard to the allegation the ESO found proved the ESO 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.
- 8 Members may wish to be aware that although the complaint was made in September 2003 the draft report was not sent to the complainant, member and monitoring officer until 27 August 2004. This report is a confidential document, the contents of which may not be disclosed. The investigation was concluded on 5 November 2004 when the final report (again confidential) was circulated to the complainant, member and monitoring officer. The summary (which is not confidential and which may be disclosed) was published on 21 December 2004.

RECOMMENDED that members note this report and determine what action (if any) the committee wishes to take in the light of it.

BACKGROUND PAPERS: Standards Board Case Summary SBE4738.03.