

**STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 4.00 pm on 26 MARCH 2007**

Present:- S A Brady (Chairman and Independent Person).  
Councillors C A Cant, C D Down, R T Harris and R M Lemon  
(Uttlesford Members), Councillors P G Leeder and R A Merrion  
(Town and Parish Councils) and M Hall (Independent Person).

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

**S23 APOLOGIES**

An apology had been received from M Hall that he would be late to the meeting due to congestion on the A14.

**S24 MINUTES**

The Minutes of the meeting held on 29 January 2007 and the extraordinary meeting held on 21 February 2007 were approved as a correct record and signed by the Chairman, subject to the inclusion of apologies for absence from Councillor R A Merrion at the January meeting.

**S25 BUSINESS ARISING**

**(i) Minute S16 - Appointment of Independent Persons to Standards Committees**

The Assistant Chief Executive said that the Interview Panel had recommended to Council that the constitution be amended to provide for the number of independent members on the Standards Committee to be increased from two to three and that three independent persons be appointed with effect from 22 May until the next ordinary election of the Council. He said that, in the event that the Council did not adopt the recommendation, the Panel had recommended that the Council appoints the existing two Members as the independent persons on the Standards Committee.

**(ii) Minute S22 - Consultation on the Proposed Amendments to the Model Code of Conduct**

The Assistant Chief Executive said that following the last meeting, he had submitted the agreed response to the Department for Communities and Local Government but had not received a reply. In response to a question from Councillor Cant, he also clarified the circumstances where sensitive information relating to a Member was not registered in the Register of Members' Interests.

## CODE OF CONDUCT

The Assistant Chief Executive reminded Members that at the last meeting they had considered the proposed amendments to the Model Code of Conduct and he had responded to the Government's consultation in accordance with Members' wishes. He said that the consultation period had expired on 9 March and he was not aware at this stage whether any alterations had been made as a result of the consultation. As reported at the meeting in February, he said that it would be helpful if the Council were in a position to adopt a revised Code of Conduct if possible prior to the May election.

He said that the Draft Code of Conduct appeared in full as a schedule to the Statutory Instrument. Most of the Code was mandatory although as an authority not having any executive arrangements, the Council could delete the provisions relating to those arrangements.

It was noted that the mandatory provisions of the Code were minimum requirements and it was open to councils to adopt additional or more stringent standards. In this connection, the Assistant Chief Executive suggested that Members should consider whether they felt it appropriate to delete all the clauses which were not mandatory in the case of authorities not operating executive arrangements.

He said that when the current Code of Conduct was introduced, the advice of the Standards Board was that authorities should in the first instance adopt the Model Code without alteration. He understood that in the first instance, most, if not all, local authorities had adopted this approach. However, in reading some of the cases on the Adjudication Panel website it was apparent, as experience of operating within the Code had grown, that some authorities had revised their Code to include additional provisions. Whilst he did not know what advice the Standards Board might give with regard to the revised Code of Conduct, providing Members were able to justify any additions to the Draft Code, he did not believe a recommendation would be capable of being challenged.

The Committee then examined the Model Code of Conduct in detail and proposed the following amendments:-

- Under the heading "interpretation" sub paragraph (b) and in sub paragraph (c) the words "of its executive" be deleted and the words "working groups and task groups of the authority" be added to paragraph (c).
- After paragraph 1 (c) the amendment of the word "is" to read "are".
- Paragraph 8 (6) relating to personal interests in executive decisions be deleted.
- Paragraph 8 (7b) relating to executive decisions be deleted.

- Paragraph 10 (a) dealing with the Authority's executive be deleted. However, the Committee recommended that the remainder of paragraph 10, including the reference to overview and scrutiny, should be retained.
- Paragraph 11 (i) (b) relating to executive functions be deleted.
- Members recommended that paragraph 11 (2) regarding participation in matters where a prejudicial interest may arise be retained.
- Members also recommended that a paragraph should be added to the Code stating that Members should observe the protocols which were in force at the Council.

RECOMMENDED that the Council adopt the Code of Conduct subject to the amendments agreed at this meeting and any variations that might be required as a result of amendments of the Statutory Instrument.

## S27 **TRAINING**

The Assistant Chief Executive said that he had written to the Essex Association of Local Councils to see if they were interested in running joint training sessions on the Code of Conduct for town and parish councillors. He suggested that three road shows across the District would be the most appropriate way of dealing with this matter.

Code of Conduct training for district councillors would be held on Tuesday 15 May 2007 and the Committee agreed that it would be beneficial if the existing and new Members attended the same sessions.

Members of the Committee stressed the importance of all Members attending training on the new Code of Conduct and asked that the Assistant Chief Executive chased up any Members who did not attend the sessions on 15 May 2007. The Independent Members of the Standards Committee also asked that they be involved in the training sessions.

## S28 **URGENT BUSINESS - MONITORING OFFICER**

The Chairman agreed to the consideration of this matter as urgent business as it was a recent development and it was not appropriate to defer notifying Members until the next meeting.

The Assistant Chief Executive said that Braintree District Council had received a complaint about a Member and had asked him to carry out the investigation. He said that he had agreed to this and this would enable Uttlesford to approach Braintree if a similar situation arose at this Council.

S29

## **LAST MEETING**

Councillor Lemon said that this was the last meeting before the Elections and thanked officers and the Chairman for their hard work in making the work of this Committee successful and enjoyable. The Chairman also expressed his thanks to officers and Members of the Committee for their hard work and support.

The meeting ended at 5.00 pm.