

**STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 4.00 pm on 23 NOVEMBER 2009**

Present:- S Brady – Chairman (Independent Chairman).
R Whitlam (Independent person).
Councillors K L Eden and R M Lemon (Uttlesford Members).
Councillors C Clarke, R Merrion and M Sullivan (Town and
Parish Councils).

Officers in attendance:- R Auty (Head of Community Engagement), M Cox
(Democratic Services Officer) and M J Perry (Assistant Chief
Executive).

S16 APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors C A Cant and C D
Down.

S17 MINUTES

The Minutes of the meeting held on 21 September 2009 were approved as a
correct record subject to the inclusion of Councillor Clarke in the list of
apologies.

S18 BUSINESS ARISING

i) Minute S12 – Probity in Planning

The Assistant Chief Executive reported that he would be running a workshop
on the new Code of Practice prior to the next meeting of the Development
Control Committee.

ii) Minute S10 i) – Training.

In answer to a question the Committee was informed that in order to qualify
for quality status the clerk to the Parish Council was required to obtain a
Certificate in Local Government Administration that was specifically designed
for town and parish clerks.

S19 MEMBER TRAINING

The Head of Community Engagement presented a report which outlined the
Council's current approach to member training. Members attended a variety of
conferences, seminars and training courses both internally and externally but
there was no formal training programme in place. Following the election of the
Council there was a structured induction programme for new members but
thereafter training tended to be of an ad hoc nature and was identified and put
forward by the Lead Officer or publicised through the Member's bulletin. There
was an annual budget available of around £3000.

The Committee noted that a formal member development programme had been developed by the IDeA and the 9 regional employer's organisations. Councils that signed up to the Charter were required to provide an action plan based on a number of criteria and a dedicated officer would be required to coordinate the activities. It was suggested that there further investigation could be undertaken into the value of signing up to this programme.

The Committee discussed whether member's training needs were being met under the current system and if there would be any advantages in adopting a more formalised structure. There were a number of elements that worked well, particularly training in technical issues at workshops before the Development Control Committee, and this could be extended to other committees. In the light of the limited budget members thought that more could be done in terms of in house training by senior officers and members.

Members found the general induction session to be very useful but it was only after this initial training that Councillors would be aware of their individual training needs. Although member's had a responsibility for obtaining the skills to carry out their role, it was recommended that there should be official route in the Council through which they could request training.

RESOLVED that the Strategic Management Board be asked to review the current approach to member training and in particular to look to establish a formal process through which Councillors could pursue their training needs.

S20

ORDER OF THE COUNCIL AGENDA

The Committee was advised of the current practice of this council to permit members of the public to speak at meetings of Full Council and policy committee meetings. Fifteen minutes was set aside at the start of the meeting and the agenda separated the public speaking from the meeting proper. Public speaking had been extended to the Council's regulatory committees and at the Development Control Committee members of the public were able to speak with regard to particular applications when they came up for consideration.

Prior to the adoption of the current Code of Conduct a member with a prejudicial interest was required to withdraw from the room whilst a matter relating to that interest was discussed. Paragraph 8.2 of the current Code varied that restriction to state that 'where you have a prejudicial interest in any business of your authority you may attend a meeting ... but only for the purpose of making representations, answering questions or giving evidence relating to the business *provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.*

The Assistant Chief Executive said that, based upon the order of business it could be argued that the public did not have the right to speak at meetings of the Council and committees (other than Development Control). That would mean that members with a prejudicial interest would not have the right to address the meeting and would be required to leave the room as soon as the

item came under consideration. In the light of this uncertainty the following options were put forward to recommend as guidance to Full Council

- a) In the light of the risk assessment contained in this report, do nothing.
- b) To recommend that where a member has a prejudicial interest in an item on the agenda and wishes to speak with regard thereto that the member must speak during the public speaking part of the meeting before the meeting proper is called to order. This option would acknowledge that the public do not have the right to speak during a formally held meeting which means that the member would then have to leave the room as soon as the item came up for consideration and could not be called back to answer further questions without resorting to an artificial device such as adjourning a meeting for that purpose.
- c) Recommending a change in the order of the agenda so that the public speaking session clearly falls in the official part of the meeting allowing members of the public up to 15 minutes after apologies for absence and declarations of interest. This would also have the advantage of prompting members to declare interests if a member of the public should raise an issue in respect of which such an interest exists.

The Committee thought that the current system of public speaking worked effectively and would prefer to recommend option b) above. It was noted that under this system the Committee could not ask for clarification from the member concerned when the item was discussed. However it was felt these occasions would be rare and this was a necessary measure to maintain the rigour of the current system.

It was explained that as Town and Parish Council's could have adopted different paragraphs of the Code they should be given the opportunity to adopt either option b) or c) above.

RECOMMENDED to Full Council that

- 1 Guidance be given to the District Council in terms of paragraph b) above.
- 2 Parish and Town Council's be requested to adopt the advice set out in either paragraph b) or c) above.

S21

SATISFACTION FEEDBACK

The Committee considered a draft satisfaction questionnaire which sought to obtain feedback on the performance of officers and the committee in dealing with allegations of a breach of the Code of Conduct. There was a separate form for the person making the allegations and for the subject of the allegation. The Committee agreed that it was good practise for those involved to have the opportunity to present their views and for the Committee to evaluate its performance in this area.

The Committee made suggestions as to the layout of the form and the questions to be included. It was noted that the effectiveness of this initiative would be reviewed after a year.

RESOLVED that the satisfaction questionnaire be issued to the complainants and subject members at the conclusion of an assessment or (if required) an investigation.

S22

RECENT DECISIONS OF THE ADJUDICATION PANEL FOR ENGLAND

The Committee received details of the Adjudication Panel for England cases that had been published since the last meeting.

The meeting ended at 17.05