

EXTRAORDINARY STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 4.00 pm on 12 MARCH 2012

Present: - S Brady (Independent person) -Chairman.
Councillors C Cant, K Eden. M Lemon and J Menell (Uttlesford Members).
Councillor M Sullivan (Town and Parish Councils).

Officers in attendance: - M Cox (Democratic Services Officer) and M Perry (Assistant Chief Executive - Legal).

S31 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor C Clarke (town and parish councils) and M Hall (Independent Person).

S32 CODE OF CONDUCT

The Committee was informed that template Codes of Conduct had recently been issued by both the Department of Communities and Local Government and the Local Government Association in conjunction with the Association of Council Secretaries and Solicitors. However, in the absence of early guidance, the Committee had already prepared its own Code of Conduct, in line with statutory principles and based on the mandatory Code required under the LGA 2000 and the Council's existing Code. This draft of this code had recently approved by the Committee.

The Committee was asked if it now wished to recommend the draft Code to the Council or to consider a different code. Looking at the alternative templates, members felt that they were too discursive when a Code of this nature should be precise. The draft Code had the advantage of certainty and it was already familiar to members.

In answer to a member question, it was also recommended that parish Councils should consider adopting the District Council's Code of Conduct. It would be sensible in terms of consistency and parish councils were already used to dealing with Council's code.

RESOLVED that the Committee recommend to Full Council the for the approval and adoption of a Code of Conduct previously put forward by this Committee, to be effective from the 1 July 2012 or such other date as may be appointed by the Secretary of State for the provisions of Section 27 Localism Act 2011 to come into force.

S25 REPORT ON THE OUTCOME OF AN APPEAL AGAINST A DECISION OF THE STANDARDS COMMITTEE

The Committee was informed of the outcome of an appeal by Councillor Alan Dean to the First Tier Tribunal Local Government Standards in

England against the decision of the Standards Committee that he had breached the Council's Code of Conduct by bringing his authority into disrepute.

The case concerned the publishing of a statement on Councillor Dean's weblog concerning the council tax and benefit service. The Committee had considered the statement would bring the council into disrepute.

The Tribunal had concluded that the interpretation which the Standards Committee had placed on upon the wording used in the weblog had been too restrictive. A wider and natural interpretation of the language employed by Cllr Dean would lead the reader to consider that he was requesting information rather than making any critical statement. The Tribunal found that Councillor Dean had not failed to comply with the Code of Conduct.

The Committee noted the decision.

The meeting ended at 4.40 pm

