

**STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON
ROAD SAFFRON WALDEN at 4.00 pm on 23 JULY 2012**

Present: Councillors C Cant, K Eden, E Godwin, R Lemon, J Loughlin and J Menell (District Council members).
Mrs G Butcher-Doulton, Mr A Brobyn and Mr V Lelliott (Independent members)

Also Present: Councillors A Dean and T Knight.

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

S1 ELECTION OF CHAIRMAN

RESOLVED that Councillor R Lemon be elected Chairman of the Committee for the ensuing year.

S2 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence or declarations of interest.

The Chairman welcomed Councillors and the Independent Members to the first meeting of the new Standards Committee.

S3 WORK PROGRAMME FOR THE STANDARDS COMMITTEE 2012/13

The Assistant Chief Executive – Legal presented a report which suggested areas of work that the Committee could consider undertaking during the course of the current council year. This would be in addition to the Committee's regulatory role in determining cases of breaches of the code of conduct.

It was suggested that the Committee could look at guidance covering a range of issues that had previously been issued by Standards for England. This body had now been abolished and the guidance had ceased to have statutory effect, but there were some areas where guidance would still be relevant when dealing with specific issues. The following had been adopted by Standards for England and had been incorporated into the Council's code of conduct.

- (a) Member/Officer protocol
- (b) Code of Good Practice: Probity in Planning
- (c) Planning Committee procedures for members' site visits
- (d) Code of Good Practice: Probity in Licensing
- (e) Gifts and hospitality guidance

- (f) Statutory Officer Protocol
- (g) Protocol in the use of Council's applied computer facilities by members.

It was suggested that these areas should be reviewed to ensure the guidance was in line with good practice and consistent with the new code.

Councillor Dean spoke about his concerns regarding the procedures for considering breaches of the code of conduct and in particular for assessment of complaints. The Assistant Chief –Executive replied that there was guidance in place; criteria for referring cases had been adopted by the previous committee for use by the Assessment Sub-Committee. Under the Localism Act the Council had adopted similar procedures and these were available on the Council's website.

Councillor Knight added that issues regarding a breach of the code were often open to interpretation and more clear guidelines were required. There were weaknesses in the system that she would like to see addressed.

The Committee was advised that there were no formal rules on what constituted a breach of the code of conduct. There was either general guidance, or specific guidance on various matters including blogging, bullying, disclosure of interests and information etc. These issues were set out in paragraph 7 of the report. It was suggested that the committee could also look to provide guidance in these areas in order to give a degree of clarity and consistency for considering future cases.

Members commented that the existing protocols were available in the Members' handbook but were not well-known or necessarily followed. The challenge, once the new protocols and guidance had been agreed, would be how to disseminate the information to all Councillors.

It was RESOLVED to establish 2 sub-committees to undertake the review of the guidance, as follows:-

i) Sub-Committee 1

Areas to be Considered

Code of Practice: Probity in Planning

Planning Committee: Procedure for Members' site visits.

Code of Good Practice: Probity in Licensing.

Members

Councillor Lemon

Councillor Eden

Council Godwin

Mr A Brobyn

Mrs G Butcher-Doulton

ii) Sub-Committee 2

Areas to be considered

Issues set out in paragraph 7 of the report (specific guidance on the Code of Conduct).

Members

Councillor Lemon
Councillor Cant
Councillor Loughlin
Councillor Menell
Mr V Lelliott

iii) The following matters would be considered later in the year

Member/Officer protocol
Gifts and hospitality guidance
Statutory Officer Protocol
Protocol in the use of Council's applied computer facilities by members.

The meeting ended at 4.40 pm