PRESENT: Councillor P Le Maistre (Chair)  
Councillor K Carroll (Vice Chair)  
Councillors: B Boundy, D Brenton.  
Mr R Clark (Town & Parish Representative)  

ALSO PRESENT: Mr R Levick (Independent Person)  
Ms B Berkhauer (Independent Person)  
J Hollis (Senior Solicitor)  
S Squire (Democratic Services Officer)  
Councillor Langmead  
Councillor Eastman

29. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brown and Robinson.

30. MINUTES

It was agreed that the Minutes of the meeting held on 27 November 2015 be agreed and signed as a correct record with the following amendment:

Item 26: 7 Principles Underlying Member/Officer Relations – spelling amendment

(Vote: For 2, Abstentions 2)

31. DECLARATIONS OF INTEREST

The Chair asked that declarations of interest be made as and when the specific agenda item to which they related was under discussion.

32. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

The Agenda, as circulated, was agreed.

33. URGENT MATTERS OF INFORMATION BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR AND THE COMMITTEE

The Senior Solicitor provided an update regarding the responsibility for issuing dispensation to Members of parish councils. The Proper Officer with responsibility for this purpose was the Parish Clerk or the Parish Council. The Senior Solicitor to provide a briefing note to parishes regarding this.
34. **STANDARDS COMMITTEE TERMS OF REFERENCE**

The Senior Solicitor presented this report and asked Members to consider the revised draft version of the Terms of Reference.

Members were informed that the amendments were as agreed at the previous meeting with an addition in item 8 of a note regarding grant of dispensations to parish councils.

A discussion followed and it was asked how the members of the Standards Committee were qualified. The Senior Solicitor advised that there was no compulsory training for membership of the committee, although training had been provided at the start of the year. The term ‘qualified’ was being used within the context of the constitution. It was noted that the number of members as stated in the Terms of Reference should be amended to 11. It was suggested the term ‘qualified members’ be amended to ‘appointed members’.

A discussion followed on the committee quorum and voting rights of the Town/Parish representatives and the Independent persons. The Senior Solicitor explained that the Town/Parish representatives are co-opted onto the committee and count towards the quorum but do not have voting rights. The Independent persons are appointed by Full Council under the provisions of the Localism Act 2011, and while they are invited to meetings of the Standards Committee they do not count towards the quorum or have voting rights.

It was proposed by Councillor Brenton, seconded by Councillor Boundy and –

Resolved:

That the draft Terms of Reference be recommended to Full Council for approval and inclusion within the Constitution with the following amendment –

1. The Council’s Standards Committee shall be made up of up to Eleven (11) appointed members.

(Vote: For – Unanimous)

35. **BRIEFING NOTE – INDEPENDENT PERSONS VOTING**

The Senior Solicitor presented the briefing note and explained that under the Localism Act 2011 in respect of the Standards Committee, a Member could not also act as an Independent person.

A discussion followed and in answer to a question regarding the length of appointment for an Independent person, the Senior Solicitor replied that the term was for 4 years from the date of appointment by Full Council. Mr Levick advised that his term in office was approaching 4 years and expressed a desire to continue in post. The Senior Solicitor agreed to check the date of appointment.

The Briefing Note was noted.
36. **TDC COMMITTEE INFORMATION FOR PARISHES**

Members considered the details contained within the ‘Information for Parishes’.

It was suggested that the membership of committees should list the names of each Councillor who sits on each committee.

The format of the information was discussed and it was agreed that this would be sent as a PowerPoint and also a PDF document. It was suggested that copies be sent to District Councillors in addition to parish councils, and that District Councillors could discuss the contents at parish meetings if needed. It was agreed the Senior Solicitor would include a note offering to provide further details if required.

The information for distribution to Parish Councils was noted.

37. **ETHICAL STANDARDS FOR PROVIDERS OF PUBLIC SERVICES**

Members considered the details contained within the guidance document and it was suggested the Seven Principles of Public Life could be given to Parish Councils as a refresher guide.

A discussion followed on whistleblowing and protection for the whistleblower and that staff should be able to ‘act in the public interest’ and have confidence to do this. It was noted that there were two distinct roles for Officers and Councillors and the Senior Solicitor advised he was confident that staff were comfortable with the processes involved and the protection in place.

The guidance document was noted.

38. **FORWARD PLAN**

The Forward Plan 2015/16 was considered.

The Senior Solicitor provided an update from the previous meeting regarding training for Parish Clerks. He advised that Parish Clerks receive training from the Devon Association of Parish Councils.

It was suggested that details of the Town/Parish Representative vacancies could be advertised on the Devon Association of Parish Councils website.

It was confirmed that information regarding dispensations would be forwarded to Parish Clerks. The Chair asked that a copy of the information and feedback be provided at the next meeting.

The date of the next meeting was queried and it was asked if this could be brought forward to early June 2016.

The Forward Plan was duly noted.
LOCAL GOVERNMENT ACT 1972 (as amended)

It was proposed by Councillor Brenton, seconded by Councillor Carroll -

That under Section 100(a)(4) of the Local Government Act (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 1 of Part 1 and Paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

(Vote: For – Unanimous)

Part II

39. COMPLAINT UPDATE

The Senior Solicitor provided a verbal update.

It was noted that details of the protocol for public participation at meetings, was being forwarded to a parish council. It was asked if this could be forwarded to all parish councils.

Following a discussion it was agreed that information for parishes would be provided alongside the legal newsletters sent out. The information to be staggered over the next few newsletters.

The complaint update was duly noted.

It was proposed by Councillor Brenton, seconded by Councillor Boundy and

Resolved:

That the meeting return to Part I and that any press and public be readmitted.

(Vote: For – Unanimous)

Part I

The Senior Solicitor circulated a draft letter and advertisement for the Parish/Town Council Representative vacancy on the Standards Committee. After a brief discussion it was agreed that this would be sent out the following week.

The meeting commenced at 2.00pm and closed at 3.10pm

Date ..................................................  Signed ..................................................