

TORRIDGE DISTRICT COUNCIL
STANDARDS COMMITTEE MEETING

Town Hall - Bridge Street, Bideford, EX39 2HS

Wednesday, 12 June 2019 - 10.00 am

PRESENT Councillor N Laws (Chair)
 Councillors G Rossi, D Brenton, M Brown, M Clarke and
 C Hawkins

 Mr R Clark - Parish Representative

ALSO PRESENT M Richards - Democratic Services Officer
 J Walter - Governance Manager

 Councillor C Hodson

The Chair welcomed everyone to the meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Harold Martin and Martin Rawle.

2. MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON

Mr Clark verified that the minutes of the meeting held on 13 March 2019 were a true record. The Chair signed the minutes.

3. DECLARATIONS OF INTEREST

Members were reminded that declarations of interest should be made as and when the specific agenda item to which they related was under discussion.

4. AGREEMENT OF AGENDA BETWEEN PARTS I AND II (IF APPLICABLE)

There were no Part II items.

5. URGENT MATTERS OF INFORMATION TO BE BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR AND THE COMMITTEE

The Chair invited all present to introduce themselves.

6. INTRODUCTION TO THE ROLE OF STANDARDS COMMITTEE

The Governance Manager told Members that this was a unique Committee in that there would not normally be many items either on the agenda or the forward plan, although there were things which had to be done and there were some things the

Committee could be proactive with. The main role of the Committee was to consider any complaints about Torridge District Councillors and Parish Councillors.

A presentation was delivered which detailed:

- the composition of the committee
- the roles and powers of the committee
- the role of the independent person
- the councillor complaints procedure
- the register of members interest and types of interest
- social media

Reference was made to the recent Government Consultation on Updating the Disqualification Criteria for Councillors and Mayors. This had been considered by the Standards Committee and a response had been made to the Government. The Government had promised to review all feedback and further guidance / changes to legislation were anticipated. The response will be brought back to the standards Committee. A definite desire had been identified to allow Standards Committees greater powers, similar to pre-2013.

Mr Clark outlined the levels of power available to the committee prior to the introduction of the Localism Act 2013. Before December 2013, vexatious complaints could have been considered by three different sub-committees. Once an investigation into a complaint had commenced it would have to run the full distance.

The importance of regularly reviewing and updating interests on the register was acknowledged. Mr Clark added that one of the changes brought about by the 2013 Localism Act was that it is now a criminal offence not to declare a pecuniary interest.

A discussion took place on social media, highlighting both the benefits and the disadvantages. The Governance Manager asked the Committee to consider whether they felt it would be beneficial to look to offering guidance to all Members. Communications was high on the Leader's list of priorities and conversations had been held with the LGA who were prepared to carry out a health check on TDC and advise where improvements could be made. Free social media training had also been offered. It was noted, at this stage, there were no plans to extend the training to the parishes but this could perhaps be done in house later.

It was proposed by Councillor Brown, seconded by Councillor Clarke and –

Resolved:

That a recommendation be made that Governance Manager be authorised to pursue the offer of free social media training.

(Vote: For – unanimous)

Councillor Brenton requested that the presentation, prefaced by the Nolan principles, be sent to all Councillors.

A comprehensive presentation on the Standards Hearing Procedure was given by Mr Clark.

Members discussed various issues and clarification was given as follows:

- Formal complaints should ideally be put in writing, however, if this were not possible, full details must be provided – a complainant could not remain anonymous. Furthermore, the complainant would be advised that the full details would be passed to the subject of the complaint
- A process for informal complaints also existed.
- Purdah had not changed, however, the way councillors and the press act did appear to have changed. The definition of purdah and its implications for the public sector were summarised - political impartiality should not be brought into question by any actions by the authority perceived to be favouring a particular candidate and public resources should not be used for party-political purposes.

7. FORWARD PLAN

The Governance Manager introduced the forward plan, commenting that the item for the next meeting would, in fact, be a review of the hearing procedure rather than a training session.

There were calls for the Committee to follow a national procedure for hearings and the Governance Manager responded that, since the abolition of the Standards Board, there was no Government prescribed procedure. However, the draft procedure document was based on good practice and procedures followed by other authorities.

Councillor Clarke asked that the draft document be circulated prior to the agenda to give people time to digest the content.

Councillor Brown requested an update on complaints received in the last 6 months. Mr Clark responded that there certainly had been nothing serious. An update will be provided by the Monitoring Officer at the next meeting.

The meeting commenced at 10.00 am and closed at 11.30 am.

Chair:

Date: