

TORRIDGE DISTRICT COUNCILSTANDARDS MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSWednesday, 5 January 2022 - 10.00 am

PRESENT

Councillor N Laws (Chair)
 Councillor J Gubb (Vice-Chair)
 Councillors D Brenton, R Clarke, C Hawkins, T Inch and S
 Newton (substitute for D Hurley)

Councillors L Ford, K James, P Pennington

Independent Persons L Bach, K Baker, M Rawle

ALSO PRESENT

S Hearse	- Chief Executive
S Dorey	- Head of Legal & Governance (Monitoring Officer)
T Vanstone	- Senior Electoral & Democratic Services Officer
K Hewlett	- Electoral and Democratic Services Officer
	-

The Chair welcomed everyone to the meeting.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Hurley and Councillor Newton was in attendance as a substitute.

2. MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 23 JUNE 2021

Chair ran through the minutes of the meeting with members page by page.

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

Resolved:

That the minutes of the meeting held on 23 June 2021 be agreed as a correct record of the meeting.

(Vote: For 5, Against 0, Abstentions 2)

3. 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.

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

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

Resolved:

That the agenda, as circulated, be agreed.

(Vote: For Unanimous).

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

Chair confirmed there were no issues to be raised.

6. REVIEW OF AMENDMENTS TO BEST PRACTICE

The Head of Legal and Governance & Monitoring Officer provided members with a summary of the Upholding Standards in Public Life report, published by Government in late Nov 2021. The Head of Legal and Governance & Monitoring Officer confirmed that the report was to review the Standards of Public Life, which hadn't taken place for 15 years. It was confirmed that the report findings were in agreement with the 7 Nolan principles and that these are the principles used in Torridge District Council's Code of Conduct.

The Head of Legal and Governance & Monitoring Officer highlighted one small amendment to the principle of Good Leadership; she explained this has been amended to state that individuals are treated with respect.

It was explained that issues had been identified with the implementation of sanctions, and it was therefore recommended that Government legislate in respect of standards and in respect of different public officers. It was further recommended that an obligation be created for the Government to produce a Code of Conduct that that is set in legislation, using the 7 Nolan principles.

Members noted the 34 recommendations and commented there would be a great deal of work involved.

Following a query in relation to training for members of the Standards Committee it was agreed that the Senior Electoral and Democratic Support Officer (Deputy Monitoring Officer) would email out a recording of training that took place for members in 2021.

Members duly noted the report.

7. NEW LGA MODEL CODE OF CONDUCT

To consider the LGA model code of conduct with a view to making recommendations to Full Council on any changes to the Council's existing Members' Code of Conduct.

The Head of Legal and Governance & Monitoring Officer confirmed this document had been issued by the Local Government Association (LGA) and the current Code of Conduct for Torridge District Council had also been attached with the agenda for members to review and compare. It was explained that these 2 documents were similar in make-up and therefore the recommendation would be for members to agree for Torridge District Council's Code of Conduct to remain the same.

Following a discussion regarding DBS checks for independent members and Councillors the Head of Legal and Governance & Monitoring Officer confirmed that DBS checks were not mandatory for Councillors and that Independent Members were also able to complete the DBS process if they wished, this would then be listed on the website. She also agreed to look into what type of DBS check was completed and whether this was an enhanced check.

It was proposed by Councillor Laws, seconded by Councillor Newton and -

Resolved:

That the current Code of Conduct for Torridge District Council remain in place.

(Vote: For – unanimous)

8. FORWARD PLAN

Following a request for items to add to the Standards Committee Forward Plan, it was agreed the March Standards Committee meeting would review the Hearing Procedure and this would include a mock hearing.

Councillor Brenton arrived at the meeting at 10:14am.

9. EXCLUSION OF MEMBERS OF THE PUBLIC

It was proposed by Councillor Newton, seconded by Councillor Gubb and

Resolved:

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 3 of Part 1 and Paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

(Vote: For – unanimous)

10. PART II (CLOSED SESSION)

11. STANDARDS HEARING REPORT

Chair referred members to the report from the Head of Legal and Governance & Monitoring Officer in relation to the Standards Hearing of the 4th August 2021 and explained that Members were being asked to review the sanctions and recommend a way forward.

Following member discussion it was agreed that a recommendation would be made to Full Council proposing the findings of the Standards Committee be published, as stated under bullet point 5 of the officer report.

It was proposed by the Chair, seconded by Councillor Clarke and –

Resolved:

To recommend to Full Council that the findings of the Standards Committee Hearing of the 4th August be made public. This may include media statements, press releases, and publication on the council's website.

(Vote: For 8, Against 0, Abstentions 2)

The Head of Legal & Governance & Monitoring Officer confirmed for members that any previous recommendation in relation to the case will still stand, as this has already been approved by Full Council.

12. COMPLAINTS UPDATE

There were no complaints to review and no update required.

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

Resolved:

That the Standards Committee come out of Part II.

(Vote: For unanimous)

The meeting commenced at 10.00 am and closed at 10.41 am

Chair:

Date: