

TORRIDGE DISTRICT COUNCIL

STANDARDS COMMITTEE MEETING

Town Hall - Bridge Street, Bideford, EX39 2HS

Wednesday, 7 August 2019 - 10.00 am

PRESENT

Councillor N Laws (Chair)
Councillor G Rossi (Vice Chair)
Councillors D Brenton, M Clarke, C Hawkins, T Inch and
C Leather (In place of M Brown)

Richard Clark - Parish Representative
Harold Martin - Parish Representative
Martin Rawle - Independent Person

ALSO PRESENT

J Walter - Governance Manager
K Hewlett - Electoral and Democratic Services Officer

The Chair welcomed everyone to the meeting.

8. APOLOGIES

Apologies were received from Councillor Margaret Brown; Councillor Chris Leather was substituting.

Councillor Inch has also contacted to advise he may be late for the meeting.

9. MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 12 JUNE 2019

The minutes dated 13 March 2019 were signed and co-signed as a true record of the meeting.

Chair ran through the minutes of 12th June 2019 with Members. It was proposed by Councillor Brenton and seconded by Councillor Clarke and

Resolved:

That the minutes of the meeting held on 12th June 2019 be approved.

(Vote: For 5 , Abstentions 1)

10. 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.

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

It was proposed by Councillor Clarke, seconded by Councillor Leather and

Resolved:

That the agenda, as circulated, be agreed.

(Vote: For unanimous)

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

There were no urgent matters brought forward.

13. REVIEW OF STANDARDS SUB-COMMITTEE PROCEDURE

The Governance Manager highlighted the draft procedures for Committee Hearings. These were sent to Members following the Committee meeting in June, where Mr Clark explained the process of sub-committee hearings and it was agreed to formalise this into a procedure for Committee Members.

The Governance Manager summarised what the procedures covered and went on to highlight why they were needed. The documents were then passed to Members for their comments and feedback.

Members agreed that there needs to be a formalised process and cases need to be judged carefully; especially given there is no allowance for a Right of Appeal process within the Localism Act. It was felt the Standards Committee need to be above reproach and ensure that decision making processes are robust.

There was further discussion regarding the use of mediation and it was queried when the use of mediation would be used within the process. The Governance Manager suggested this would take place before a case was escalated to a hearing. However, it could also be a solution that Members suggest if they felt it was necessary, or if it became clear that mediation hadn't already taken place.

Discussion took place regarding who makes the decision that a complaint should come to this Committee and whether the Code of Conduct has been broken? It was explained that an Investigating Officer would be appointed and asked to complete a report, which would go to Monitoring Officer and then to Standards Committee. The Committee ultimately decides if there has been a breach of Code of Conduct.

Mr Clark went on to explain the decision making process in relation to investigating a complaint, whether there has been a breach, how serious it is and what should happen next.

The Chair asked Members to consider if the documents tabled were thorough enough and seen to be fair.

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

Resolved:

That the draft procedure guidance be agreed.

(Vote: For unanimous)

14. FORWARD PLAN

Social Media Guidance

The Chair suggested some work take place encouraging the good behaviour of Councillors towards other Councillors and towards members of the public. It was suggested that information – by word or letter - could be sent to Town, Parish, and District Councilors from the Standards Committee detailing the expectations on Councillors and the role of the Committee in overseeing this.

Mr Clark followed this up by stating that he felt it was a matter of public record which Parish and Town Councils have had significant changes in Councillors since May. He suggested proactive work to approach these Councils and offer up training for new Councillors. It was suggested this could be a future agenda item.

The Chair explained he had received a request from Councillor Dart suggesting guidance for Councillors given the increased use of social media.

The Governance Manager also confirmed he is in the process of organising free training on social media, which will be provided for free by the Local Government Association. The council are looking to arrange 2 sessions in September. Once Members have received this training, it was agreed to look at drafting social media guidance for the November Standards Committee.

It was proposed by Councillor Clarke, seconded by Councillor Rossi and

Resolved:

That social media guidance for Councillors would be added to the Forward Plan in November.

(Vote: For unanimous)

Complaints Flowchart

Mr Clark suggested that the complaints process flowchart be reviewed and revised. He agreed to pass a copy to the Monitoring Officer before the next meeting on 20 November.

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

Resolved: That the complaints flowchart would be added as an agenda for the meeting of the Standards Committee in November.

(Vote: For unanimous)

15. EXCLUSION OF MEMBERS OF THE PUBLIC

The Chair to move :

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in)Part 1 of Schedule 12A of the Local Government Act.

16. PART II (CLOSED SESSION)

The Governance Manager confirmed that the Part II update would be used to provide an update on complaints.

It was proposed by Councillor Leather and seconded by Councillor Clarke and -

Resolved:

To enter into Part II for the remainder of the meeting.

(Vote: For unanimous)

17. COMPLAINT UPDATE

The Governance Manager provided a verbal update on the complaints received. Brief details were provided in relation to each of the complaints and the Governance Manager confirmed that the Council also keep a log of incidents to review any potential patterns in relation to complaints in general.

Councillor Inch arrived at 10:50

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

Resolved:

To come out of Part II and close the meeting.

(Vote: For unanimous)

18. COMMITTEE ORGANISER: DEMOCRATIC SERVICES

The meeting commenced at 10.02 am and closed at 10.52 am

Chair:

Date: