

TORRIDGE DISTRICT COUNCIL
STANDARDS COMMITTEE MEETING

Virtual Meeting via Zoom with Public Access via YouTube
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Wednesday, 18 November 2020 - 10.00 am

PRESENT Councillor N Laws (Chair)
 Councillors D Brenton, M Clarke, L Ford and C Hawkins and P Pennington (present as substitute)

Rich Clark - Shebbear Parish Council

ALSO PRESENT S Dorey - Head of Legal & Governance (Monitoring Officer)
 T Vanstone - Senior Electoral & Democratic Services Officer
 K Brown - Democratic Services Officer

Councillor P Hackett

The Chair welcomed everyone to the meeting.

9. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Rossi with Councillor Pennington substituting.

10. **MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 26TH AUGUST 2020**

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

Resolved:

That the Minutes of the meeting held on 26 August 2020 be agreed and signed as a correct record.

A recorded vote was taken.

COMMITTEE MEMBER	FOR	AGAINST	ABSTAIN
Councillor Brenton	X		
Councillor Clarke	X		
Councillor Ford	X		
Councillor Hawkins	X		
Councillor Inch			
Councillor Laws	X		

Councillor Rossi			
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(Vote: Unanimous)

Councillor Pennington was yet to arrive to the meeting.

Mr Clark the Parish Representative does not take part in the Committee voting.

11. 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.

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

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

Resolved: That the agenda, as circulated, be agreed.

A recorded vote was taken.

COMMITTEE MEMBER	FOR	AGAINST	ABSTAIN
Councillor Brenton	X		
Councillor Clarke	X		
Councillor Ford	X		
Councillor Hawkins	X		
Councillor Inch			
Councillor Laws	X		
Councillor Pennington	X		
Councillor Rossi			

(Vote: Unanimous)

Councillor Pennington arrived at 10.12am

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

There were no urgent matters brought forward.

14. BEST PRACTICE

The Head of Legal & Governance & Monitoring Officer presented the list of best practice issued by the Committee of Standards in Public Life. TDC already undertakes most practices however the Head of Legal & Governance & Monitoring Officer ran through each practice individually for discussion. TDC last reviewed their Code of Conduct in 2018 and the Head of Legal & Governance & Monitoring Officer suggested now might be a good time for it to be reviewed.

Councillor Brenton asked that the Head of Legal & governance & Monitoring identify which practices TDC do not already undertake.

Best Practice 1 – TDC already follows this practice. Following a query from Councillor Hawkins with regards to the procedure to follow after witnessing an incident the Head of Legal & Governance & Monitoring Officer advised the situation would first try to be settled informally with the independent person before taking it further. There is a protocol to follow which can be emailed out and is on the Authority’s website. After a short discussion it was agreed to keep this practice.

Best Practice 2 – TDC does not follow this practice. Councillor Brenton suggested that in addition to this practice the wording ‘politically motivated’ be added which was agreed and accepted by the Committee.

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

Resolved: That TDC’s Code of Conduct be reviewed.

A recorded vote was taken.

COMMITTEE MEMBER	FOR	AGAINST	ABSTAIN
Councillor Brenton	X		
Councillor Clarke	X		
Councillor Ford	X		
Councillor Hawkins	X		
Councillor Inch			
Councillor Laws	X		
Councillor Pennington	X		
Councillor Rossi			

(Vote: Unanimous)

The Head of Legal & Governance & Monitoring Officer suggested that any recommendations Members made today be brought back with track changes to the next committee meeting with new proposals, this was agreed.

Best Practice 3 - The Head of Legal & Governance & Monitoring Officer confirmed this is not updated every year and is not a public consultation. Meetings are held with other Devon Monitoring Officers. After a brief discussion it was agreed to include.

Best Practice 4 – TDC does follow to this practice.

Best Practice 5 – TDC update the gifts and hospitality register if there is a change not every quarter as stated in this practice. After discussion it was agreed not to update every quarter but to advise Democratic Services of any gifts or hospitality and a reminder should be sent annually.

Following a query from Mr Clark the Head of Legal & Governance & Monitoring Officer confirmed the limit to declare is £25 and above. Members mentioned what they had previously received.

Best Practice 6 - TDC does not follow this practice. The Head of Legal & Governance & Monitoring Officer advised it would be helpful to follow. After a brief discussion it was agreed to accept.

Best Practice 7 – TDC does follow this practice however currently the Authority only has one Independent Person with the other position vacant. In the discussion that followed, it was suggested that a press release be conducted with the Chair and Mr Clark both being involved. Both were happy with this idea. Following a query from Councillor Pennington the Head of Legal & Governance & Monitoring Officer confirmed that Independent Persons cannot vote and voting is for Committee Members only. Independent Persons are entirely independent from the Council and confirmed that a brief explanation could be included in the minutes.

Best Practice 8 - TDC does follow this practice.

Best Practice 9 – TDC does not follow this practice. After a brief discussion it was agreed to look at this practice further.

Best Practice 10 – TDC does follow this practice. Councillor Laws suggested to remove the wording ‘estimated timescales for investigations and outcomes’. It was agreed that this practice be accepted.

Best Practice 12 – TDC does follow this practice. The Head of Legal & Governance & Monitoring Officer confirmed to provide this to every Parish Council within TDC would be difficult. Help is provided as much as possible and any Parish Council complaints are dealt with. The Legal & Governance & Monitoring Officer is always available to advise. It was agreed that this practice be accepted.

Best Practice 13 & 14 - TDC does follow these practices.

Best Practice 15 – Be amended to as required rather than regularly.

The Head of Legal & Governance & Monitoring Officer advised she would make amendments to the Code of Conduct with track changes and bring to the next Standards Committee meeting.

15. FORWARD PLAN

It was agreed that the review of amendments to Best Practice and review of Hearing Procedures be brought to the next committee meeting.

16. EXCLUSION OF MEMBERS OF THE PUBLIC

It was proposed by Councillor Laws, seconded by Councillor Brenton 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.

A recorded vote was taken.

COMMITTEE MEMBER	FOR	AGAINST	ABSTAIN
Councillor Brenton	X		
Councillor Clarke	X		
Councillor Ford	X		
Councillor Hawkins	X		
Councillor Inch			
Councillor Laws	X		
Councillor Pennington	X		
Councillor Rossi			

(Vote: Unanimous)

17. PART II (CLOSED SESSION)

18. COMPLAINTS UPDATE

The Head of Leal & Governance & Monitoring Officer provided a verbal update on a current complaint briefly outlining the details and sought Members opinions.

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

Resolved: To come out of Part II and close the meeting.

A recorded vote was taken.

COMMITTEE MEMBER	FOR	AGAINST	ABSTAIN
Councillor Brenton	X		
Councillor Clarke	X		
Councillor Ford	X		
Councillor Hawkins	X		
Councillor Inch			
Councillor Laws	X		
Councillor Pennington	X		
Councillor Rossi			

(Vote: Unanimous)

The Chair thanked everyone for attending.

The meeting commenced at 10.00 am and closed at 11.26 am

Chair:

Date: