

TORRIDGE DISTRICT COUNCILSTANDARDS COMMITTEE MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSWednesday, 21 November 2018 - 2.30 pm

- PRESENT: Councillor M Langmead (Chair)  
Councillors T Inch, G Dezart, R Julian and P Hackett
- Martin Rawle - Independent Person
- Richard Clark - Parish Representative  
Harold Martin - Parish Representative
- ALSO PRESENT: S Dorey - Senior Solicitor  
M Richards - Democratic Services Officer  
J Walter - Governance Manager

The Chair welcomed everyone to the meeting and extended a special welcome to Martin Rawle, the new Independent Person.

11. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Brown and Councillor Whittaker.

12. MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 20 JUNE 2018

It was proposed by Councillor Julian, seconded by Councillor T Inch and –  
Resolved:

That the Minutes of the meeting held on 20 June be agreed and signed as a correct record.

(Vote: For 4, Abstentions 1)

**Matters Arising**

Minute 4 - Urgent matters of Information to be brought forward with the permission of the Chair and the Committee

Councillor Julian asked whether there was an intention to continue with the list of planned visits. The Legal Services Manager responded that she was unaware of the list but would discuss with Councillor Julian after the meeting.

Minute 6 - Town And Parish Liaison

Councillor Julian reported that the visit to Parkham Parish Council had been well received and that these visits should be prioritised. The Chair gave reassurance that the programme would continue.

13. 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.

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

The Chair had been requested to bring forward Item 11 – Complaints Update.

It was proposed by Councillor T Inch and seconded by Councillor Dezart –

- That the item be brought forward
- That under Section 100(a)(4) of the Local Government Act 1972 (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)

15. PART II (CLOSED SESSION)

16. COMPLAINTS UPDATE

The Legal Services Manager briefed the Committee on the complaints received and provided updates on each case.

2 complaints had been received in relation to Parish Councillors – one had been discussed with the Standard Committee's Independent Person and had not been upheld. The other was still being processed.

2 complaints in relation to District Councillors had been submitted and these had been dealt with by way of apology.

It was proposed by Councillor T Inch and seconded by Councillor Hackett -

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

(Vote: For – unanimous)

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

There were no urgent matters brought forward.

18. FORWARD PLAN

The Chair asked that any items for inclusion on the Forward Plan be submitted to the Governance Manager or the Legal Services Manager.

Potential items were discussed.

Rich Clark referred to some slides he had prepared for the training of Parish Councillors. These had been sent to the Senior Legal Services Manager. These will be sought out by the Legal Services Manager

With District and Parish elections taking place in May 2019, could an informative session be set up for people thinking of standing. Preparation to be added to Cycle 7.

19. CONSULTATION ON UPDATING THE DISQUALIFICATION CRITERIA FOR COUNCILLORS AND MAYORS

The Legal Services Manager advised Members that the “Consultation on Updating the Disqualification Criteria for Councillors and Mayors” paper had been brought back to Committee as TDC had had an input into the document.

In summary, there had been a strong feeling in all responses that if a Councillor was subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) he/she should be prohibited from standing for election, or holding office, as a member of a local authority.

The Committee debated DBS checks and the effectiveness of TDC in making Councillors undergo the check. It is possible, as a result of the consultation, the Government may look at this aspect of DBS checks.

It was noted that:

- TDC had no powers to force Councillors to undergo the check
- TDC had no powers to impose sanctions
- The onus lay with the individual
- The Constitution had been amended to include an agreement that all Members undergo a DBS check when elected
- Full details of DBS checks were not shared with anybody other than the subject of the check. TDC was only aware of a pass or fail.

It was proposed by Councillor T Inch, seconded by Councillor Julian and –

Resolved:

That a letter be sent to the Ministry of Housing, Communities and Local Government, urging them to implement changes to primary legislation as soon as possible.

(Vote: For – unanimous)

20. TRAINING UPDATE

The Legal Services Manager and the Governance Manager delivered an interactive presentation on training, prompting debate on the Members' Code of Conduct, Declarations of Interest and sanctions.

Draft documents relating to Standards Committee Hearings were circulated. The documentation will be discussed at the next meeting. Members were alerted to the importance of adopting a process and the requirement to publish the procedure. In the interest of transparency, it was good practice to hold hearings in public.

The meeting commenced at 2.30 pm and closed at 4.21 pm.

Chair:

Date: