

BATH AND NORTH EAST SOMERSET

STANDARDS COMMITTEE

MINUTES OF THE MEETING OF THURSDAY, 17TH SEPTEMBER, 2015

PRESENT:-

Independent Members: Susan Toland (Chair), Deborah Russell (Independent Member) and Dr Cyril Davies (Independent Member)

Parish Representatives: Veronica Packham

Bath and North East Somerset Councillors: Sally Davis, Sarah Bevan, Geoff Ward and Brian Simmons

Officers: Maria Lucas (Head of Legal and Democratic Services) and Enfys Hughes

1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the Committee.

2 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure as set out on the agenda.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTION

Apologies were received from Councillor Nigel Roberts, Tony Crouch and Ray Morrison.

4 DECLARATIONS OF INTEREST

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

There were none.

7 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS RELATING TO THE GENERAL BUSINESS OF THE COMMITTEE

There were none.

8 MINUTES OF THE MEETING OF 23RD APRIL 2015

Councillor Sally Davis moved, seconded by Councillor Brian Simmons and it was

RESOLVED that the minutes be approved and signed by the Chairperson.

9 REPORT ON THE STATUS OF CO-OPTED MEMBERS ON STANDARDS COMMITTEE

The Monitoring Officer presented the report and explained that the previous legislation had been removed which entitled the Independent Members to vote at Standards Committee. It was suggested that a system of informal voting be adopted for the Co-opted Members so all their views could be taken into account. Then matters would proceed to a second vote of the elected Members and this would stand as the formal decision of the Committee. Both the informal and formal votes would be noted in the minutes.

RESOLVED to adopt a system of informal voting to allow the views of Co-opted Members to be taken into account.

10 AGENDA FOR STANDARDS COMMITTEE

The Monitoring Officer explained that, in her experience, having items from the public could sometime lead to issues at Committee if they were vexatious, though it was noted there had been no problems at Standards Committee. She pointed out that if people complained about a councillor under this item this could prejudice the outcome of any investigation. It was suggested that the wording of this item be, Items from the public – to receive deputations, statements, petitions or questions (complaints must go through the Standards Complaints procedure).

The Monitoring Officer stated that at previous authorities, she had provided a short training session for members of the Committee and suggested doing this before the next meeting, which was agreed.

RESOLVED that

- 1) the standard item on the agenda be agreed as follows:

Items from the public – to receive deputations, statements, petitions or questions (complaints must go through the Standards Complaints procedure) and

- 2) the Monitoring Officer arrange a brief training session for members of Standards Committee before the next meeting.

11 REPORT ON ASSESSMENT OF COMPLAINTS

The Monitoring Officer presented this report and briefly went through the complaints and members discussed them. She explained that one investigation was nearly complete and would be reported to Committee soon.

RESOLVED that the report be noted.

12 WORKPLAN FOR THE STANDARDS COMMITTEE

The Monitoring Officer stated that the Code of Conduct did not sufficiently emphasise the declaration of pecuniary interests (DPIs) by members. It was agreed that a report with suggested wording in respect of the declaration of interests would be brought to the next meeting. It was important to note that non-declaration of DPIs was a criminal offence. The report could also clarify that a Member or Parish Councillor could speak (or not) at the meeting when they had declared a pecuniary interest. During discussion the following points were raised:

- the importance of openness and transparency
- information for new Councillors as they were appointed
- reminders for Parish Clerks in respect of their Councillors via Parishes Liaison Committee
- the responsibility on disclosure was on the individual
- general dispensations.

The Monitoring Officer offered to draft an annual report for the meeting of the Standards Committee after the Annual General Meeting in May. This would include a review of the complaints received going back to 2009, the numbers; subject matter; parish council or Bath and North East Somerset Council; from members of the public or councillors and the outcome. Following discussion any trends would be identified.

The issue of collaborative working with other local authorities was discussed in respect of reviewing complaints, however it was noted it was important to compare 'like with like'. The Monitoring Officer explained that she met up regularly with the Monitoring Officers in CUBA (Councils that used to be in Avon) authorities.

The Committee would consider inviting, when relevant, the Chief Executive and/or Group Leaders to a meeting of Standards Committee.

RESOLVED that the following items be agreed on the workplan:

- 1) Code of Conduct – declaration of pecuniary interests and the ability to speak on an item (Monitoring Officer) and
- 2) Annual Report with a review of complaints received (Monitoring Officer).

13 HOUSEKEEPING FOR STANDARDS COMMITTEE

Timetable of meetings

The Monitoring Officer introduced the idea of having a Standards Committee every two months in case of the need for a hearing. The Chair agreed that it was easier to have a date in the diary and then it could be cancelled if not necessary. There would be a substantive meeting of the Committee every four months. She stated that there was a need for a meeting in November 2015 to discuss the report of an investigation. The Democratic Services Officer would liaise with members for a meeting date in November and produce a timetable of meetings for the forthcoming years.

Start time

The start time of the meeting was discussed by members with the conclusion being that meetings would start at 6.15pm, to make it easier for parking 'on street'.

Electronic copies of the agenda

During discussion it was agreed that independent/co-opted members would continue to receive paper copies of the agenda.

The Democratic Services Officer noted down the Councillors requirements in respect of paper/electronic/confidential copies of the agenda.

RESOLVED to note all the housekeeping items.

The meeting ended at 6.55 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services