

Standards Committee

Minutes of a Meeting of the Standards Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **25th January 2016**.

Present:

Cllr. Hicks (Chairman);
Cllrs. Mrs Blanford, Dehnel, Feacey, Knowles, Michael, Waters.

Mrs C Vant – Independent Person
Mr R Brasier – Parish Council Representative.

In accordance with Procedure Rule 1.2(iii) Councillor Mrs Blanford attended as Substitute Member for Councillor Mrs Bell.

Apologies:

Cllr. Mrs Bell, Mr D Lyward.

Also Present:

Monitoring Officer, Senior Member Services & Scrutiny Support Officer.

284 Declarations of Interest

Councillor	Interest	Minute No.
Dehnel	Made a 'Voluntary Announcement' as he attended Charing Parish Council meetings as Ward Member.	285, 286

285 Minutes

The Committee had a discussion on the review of governance arrangements at Chilham Parish Council which had been discussed at the last meeting. The Monitoring Officer reminded the Committee that he had agreed to update the Committee on progress within the first year of the Parish Council after the 2015 Elections, and he considered it was fair and reasonable to give the Parish Council a full year of operation before drawing any conclusions after May 2016.

The Ward Member for the area said he was pleased to report that he had attended all of the meetings of Chilham Parish Council and they were now functioning extremely well under its new Chairman and membership and were methodically working through the recommendations of the review report. He said he had been present at Parish Council meetings in late 2014 when he had witnessed conduct which he considered had been so far out of order that it bordered on 'abuse'. The then Chairman had then told him that such behaviour had become quite normal and had been going on for a number of years. He therefore considered that if swifter and

more decisive action had been taken from the outset then it may have been possible to avert the situation. The Monitoring Officer advised that this was a difficult situation in that Parish Councils were independent bodies who were responsible for regulating their own procedures. In his recollection ABC had resolved to assist the Parish Council with the external consultant fairly swiftly after they had been alerted to the problems occurring there. There had been various complaints and threatened complaints from individuals on both 'sides' of the argument at the Parish Council and it was therefore considered that bringing in an independent external consultant was the sensible way forward in trying to help the Parish Council operate in a more effective way in the future. The investigation of a number of individual Code of Conduct complaints would have been expensive, time consuming and, under the new Standards regime, devoid of any real sanctions.

Resolved:

That the Minutes of the Meeting of this Committee held on the 19th March 2015 be approved and confirmed as a correct record.

286 Annual Report of the Council's Monitoring Officer 2015

The Monitoring Officer introduced his annual report to be presented to the Council on the 18th February 2016. The report assessed activity in probity matters, in particular in relation to formal complaints about alleged breaches of protocols and codes of conduct by Borough and Parish Councillors for the calendar year 2015. The report also included data on Ombudsman complaints as these were also handled by the Monitoring Officer and his staff. The relevant period related to the most recent data provided by the Ombudsman, namely 1st April 2014 to 31st March 2015.

With regard to Code of Conduct Complaints, there had been one new formal complaint made this year which was still under consideration. In relation to Ombudsman Complaints the Monitoring Officer said there had been 10 resolved by the Local Government Ombudsman (LGO) which was a significant reduction on the previous year. Only one of these complaints had been upheld but had been ruled as maladministration with no injustice.

Whilst Code of Conduct complaint activity in Ashford remained low, the Monitoring Officer said it was also worth drawing attention to a fairly full programme of probity work following the local Elections in May including the registration and publication of DPI (Disclosable Pecuniary Interest) notifications for all Borough and Parish Councillors, training in Code of Conduct matters for both Borough and Parish Councillors and probity in planning for Borough Councillors, as well as the publication of a new and updated Good Practice Planning Protocol for the Council. He concluded by noting that there were some interesting observations in the Annual Review Letter submitted by the Chair of the LGO, which had been appended to the report, and he intended to report to the Committee further on these issues in due course.

The Chairman opened the report up to the Committee and the following responses were given to questions/comments: -

- The Committee considered that the attendance figures for the two training sessions had been disappointing and asked if there was anything that could be done to enforce attendance. The Monitoring Officer advised that other than training for the quasi-judicial Council Committees (Planning, Licensing etc.) there was little the Council could do to enforce attendance at training sessions. This had always been regarded as a matter for Group Leaders and the individual Parish Councils. The Committee was of the opinion that every Borough and Parish Councillor should undertake training in Standards/Code of Conduct and whilst they may not be able to make it compulsory, this Committee should set out what it would expect, particularly of newly elected Councillors.
- Deputy Monitoring Officer(s) would be appointed in the near future and Members of this Committee would be informed.
- The Government had recently consulted on a proposal to extend the jurisdiction of the LGO to some Town and Parish Councils. Whilst this would be welcomed the Council were as yet unaware of the outcome of the consultation.
- There had been no Housing Ombudsman complaints made this year.
- There was no requirement for Parish Councillors to notify the Monitoring Officer when making a formal planning application in the same way that Borough Councillors were recommended to, because there was not the same possibility that they could take part in the decision proceedings. Caution was advised though if the matter was being discussed at Parish Council level.

Following points raised about this Committee sending out a message, the Monitoring Officer advised that the Committee could make a recommendation to extend the Articles of the Constitution (2.03 - Roles and Functions of All Councillors) to include reference to Members making every effort to attend relevant training sessions that were put on to benefit them in their role as a Councillor. The Committee agreed to make such a recommendation as they considered it was vital for all Councillors to equip themselves with the tools necessary to contribute to the work of their Committees and the Council.

Resolved:

- That**
- (i) the Annual Report of the Monitoring Officer 2015 be received, noted and forwarded to Full Council for approval.**
 - (ii) a recommendation be added to the report to make the following addition to Article 2.03 (vi) of the Constitution: -**

“All Members are therefore expected to make every effort to attend training sessions held for Councillors on this subject, and other training events relevant to their role.”

287 Date of Next Meeting

An additional meeting of the Committee would be arranged after May 2016 to report on the situation at Chilham Parish Council following a year of operation of the new Council.
