

STANDARDS COMMITTEE

MINUTES of a **MEETING** of the **STANDARDS COMMITTEE** held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th JULY 2007**

PRESENT: Mrs C A Vant (Chairman);
Cllr Packham (Vice-Chairman);

Cllr. Mrs Blanford
Mr D Lyward – Parish Council Representative
Mr M Sharpe – Independent Member

APOLOGIES: Cllrs Honey, Mrs Laughton, Wood.

ALSO PRESENT: Monitoring Officer, Member Services and Scrutiny Support Officer.

124 ELECTION OF CHAIRMAN

Resolved:

That Mrs C A Vant be elected as Chairman of the Standards Committee for the 2007/2008 Municipal Year.

125 MINUTES

Resolved:

That the Minutes of the meeting of this Committee held on the 7th March 2007 be approved and confirmed as a correct record.

126 ANNUAL REPORT OF THE MONITORING OFFICER 2006/2007

The Monitoring Officer referred the Committee to several items in the report that would be submitted to the Council on the 26th July 2007. He referred to paragraph 16 of the report which set out his conclusion that he was satisfied, as he had been in 2005/06, that the Council's Code of Conduct (and Good Practice Protocol) were widely understood and observed as evidenced in the table in paragraph 15. Of the six complaints against Borough and Parish Councillors only one had been referred for investigation and was still ongoing. Since the end of 2006/07 some six or seven complaints had been referred for investigation compared with the one for the whole of the previous year. Of the recent complaints, all except one referred to Parish Councillors, whilst three were in relation to former Councillors and the Monitoring Officer was in discussion with the Standards Board for England (SBE) about how to handle these. He had mentioned these recent complaints to the Committee as they showed how volatile the figures could be, and although no breaches may be found, conclusions could not be drawn from the figures year on year and there could be implications for Council resources if such levels of referrals were maintained. Nonetheless, it was pleasing to note that not a single complaint against a serving Borough Councillor had been referred for investigation since the inception of the new ethical framework in 2002.

Code of Conduct Complaints

The Parish Council Representative agreed with comments about former Councillors since, under the present system, the only sanction was a letter of disapprobation. The Chairman referred to conversations with Sir Anthony Holland and David Prince about proportionality and reliance on individual Councils to carry out proportionate investigations (in terms of cost and resources). The Monitoring Officer advised, in response to a question, that most complaints had a planning context. The Overview and Scrutiny Committee had recently considered resource issues and by way of example one recent case had involved 40 staff hours and an investigator's fee of £3,500 so, if at the end of a hearing, the sanction was merely a letter was this proportionate?

Ombudsman Complaints

The Monitoring Officer advised paragraph 19 should refer to Appendix 2 and paragraph 21 to Appendix 3 for which he apologised. The good news was that the Ombudsman had only referred three complaints for Local Settlement (Appendix 2) and the Ombudsman's target response time of 28 days had been met by the Council (paragraph 23) despite reduced staffing for this function.

The Monitoring Officer advised, in response to questions, that the receipt of complaints by and the decisions of the Ombudsman did not always coincide with the reporting year as evidenced in the pie charts. The Council had an individual complaints tracker.

Resolved:

That the report be received and noted.

127 NEW CODE OF CONDUCT

The Monitoring Officer referred to paragraph one of the report which explained that ideally the report on the New Code of Conduct should have been considered by the Standards Committee prior to the Council meeting on the 24th May 2007. He considered, however, that it had been important for the Code to be adopted at the earliest opportunity as it relaxed certain restrictions and introduced some new ones. Paragraph 4 referred to further reports that would be made to the Committee in connection with the New Code of Conduct. Appended was the report to the Council on the 24th May 2007. The Monitoring Officer confirmed that he had written to all Parish Clerks about the optional paragraphs of the Code and so far all parishes had adopted paragraph 12(2). Externally facilitated training would take place on Tuesday the 17th July 2007 to which Councillors, Parish Clerks and Parish Councillors had been invited and this event would complete the first round of training.

A discussion ensued about making training compulsory as some Parish Councillors had in the past claimed they had not been trained on the Code of Conduct at hearings. Compulsory training would be difficult to enforce with few sanctions for non completion as Councillors could not be unelected and disappointment was expressed about so few Parish Clerks attending training. The Chairman suggested that consideration be given to training taken out to the Parishes or clusters of Parishes and it was agreed that enquiries should be made of the SBE about the development of interactive training on the New Code of Conduct. The Monitoring Officer referred to the problem of training hundreds of Parish Councillors and ways of accessing them. He would raise this at a forthcoming meeting with the SBE representatives and enquire about what was available as the SBE seemed to have some sympathy with the difficulties of District Councils with large numbers of Parish Councils. The Monitoring Officer confirmed that the Member Training Panel had drawn up a comprehensive training programme prior to the elections and it would be possible to keep a list of training offered/attended on the New Code of Conduct for any future hearings.

Resolved:

That the report be received and noted.