

Standards Committee

Minutes of a Meeting of the Standards Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **30th September 2014**

Present:

Cllr. Mrs Dyer (Chairman);
Cllr. Davison (Vice-Chairman);
Cllrs. Burgess, Chilton, Feacey.

Apologies:

Cllrs. Adby, Mrs Hutchinson, Mr D Lyward.

Post Meeting Note: Apologies were received after the Meeting from Mrs C Vant.

Also Present:

Monitoring Officer, Senior Member Services & Scrutiny Support Officer.

161 Declarations of Interest

Councillor	Interest	Minute No.
Davison	Made a 'Voluntary Announcement' as he had attended meetings with Chilham Parish Councillors and the consultants referred to in the report, as an independent observer.	164
	Made a 'Voluntary Announcement' as part of his Ward formed part of the Chilmington Green site in connection with complaints regarding Great Chart with Singleton Parish Council.	163

162 Standards Committee – 8th August 2013

In response to a question from a Member about the difference in procedure for appointing the Chairman and Vice-Chairman of the Committee as compared to last year, the Monitoring Officer advised that under the old regime, with Independent members of the Committee alongside Elected Members, it was necessary to elect the Chairman and Vice-Chairman at the first meeting of the Committee in that Municipal Year. Now, the Chairman and Vice-Chairman could be appointed at the Annual Council Meeting in May, as with all other Member Committees.

Resolved:

That the Minutes of the Meeting of this Committee held on the 8th August 2013 be approved and confirmed as a correct record.

163 Annual Report of the Council's Monitoring Officer 2013/14

The Monitoring Officer introduced the annual report to be presented to the Council on the 16th October 2014. The report gave an analysis of both Code of Conduct activity (complaints against both Borough and Parish Councillors) (Paragraphs 7-14 of the report) and Ombudsman Complaint activity (Paragraphs 16-18 of the report). This was for the period 1st August 2013 to 31st July 2014 for Code of Conduct issues 1st April 2013 to 31st March 2014 for Ombudsman issues. He said it was also worth drawing attention to the two important training sessions that had been held during 2013/14 on: - the role of Independent Persons in the new Localism Act conduct regime; and the joint Borough and Parish training day on the new Code of Conduct. The second of these in particular had been reasonably well attended with 14 Borough Councillors and 30 Parish Representatives present.

With regard to Code of Conduct Complaints, there had been three new complaints this year (one related to a Borough Councillor and two to Parish Councillors). The figures showed a reduction compared to the preceding year. Of the three cases none had been referred for investigation.

In relation to Ombudsman Complaints the Monitoring Officer said there had been 16 to the Council resolved by the Local Government Ombudsman (LGO). Six of these had been investigated and none were found to be maladministration with injustice. 2013/14 was the first full year the LGO had recorded complaints under its new business model and, since April 2013, complaints about social housing had been dealt with by the Housing Ombudsman and not the LGO. So figures for complaints were not directly comparable with previous years.

Overall, therefore, the Monitoring Officer concluded that the level of complaints was low and this was a good reflection on the Council, both in terms of the conduct of its Councillors, the services it provided and its own internal complaints procedures.

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

- There would be further Code of Conduct training delivered after the May 2015 Elections. This would be primarily aimed at new Members but they would try and make it relevant for all Members.
- If a Parish Council had its own functioning website they were required to publish their own Disclosable Pecuniary Interests (DPI) on there. Sample checking of Parish Councils' own websites would be undertaken and advice given to Clerks as appropriate. The Borough Council also had to display its own and all Parish Council DPI information and the considerable task of

assembling, checking and uploading all of that information, was now nearing a conclusion. The Monitoring Officer did not consider all Parish Councils would be made to have a website as some had limited funding and staff resources.

- Applicants for Discretionary Housing Payments could now appeal to the Housing Ombudsman if they were unhappy with the way their application was dealt with by the Council, but they would not investigate the merits of the decision itself.
- The Monitoring Officer agreed to provide hard copies of the Council adopted Code of Conduct and the Good Practice Protocol for Councillors Dealing with Planning Matters, for Members of this Committee. However, it should be noted that the Protocol was currently slightly out of date and would be amended in the near future. It was difficult to keep up with the ever changing rules and guidance coming out of the Local Government Association and Committee on Standards in Public Life, but it was true to say that the Protocol document as it stood was still valid, valuable and relevant.
- The Monitoring Officer would investigate an appropriate way of giving Councillors more information on the complaints relating to planning in the report, without compromising the integrity of any confidentiality of the public report.

Resolved:

That the Annual Report of the Monitoring Officer 2013/14 be received, noted and forwarded to Full Council for approval.

164 Chilham Parish Council – Report of the Monitoring Officer

The Monitoring Officer advised that he had included this short information item on the Agenda to make the Committee aware of some operational problems at Chilham Parish Council. Working relationships had broken down on a number of occasions and he had been informed that a number of Code of Conduct complaints would be referred to him. He advised that in these circumstances it was often more effective to seek to resolve such underlying difficulties by a process of review, mediation and discussion. He had accordingly arranged for a firm of independent experts to work with and support the Parish Council. He considered it was important for the Committee to be kept up to date with such developments in Parishes as they did involve Ashford Borough Council expenditure.

In response to a question about the potential costs, the Monitoring Officer said the likely figure was somewhere in the region of £7,500.

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Resolved:

That the report be received and noted.

Queries concerning these minutes? Please contact Danny Sheppard:
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