



**MINUTES of
JOINT STANDARDS COMMITTEE
1 JUNE 2017**

PRESENT

Chairman	Councillor Rev. A E J Shrimpton
Vice-Chairman	Councillor Mrs M E Thompson
Councillors	Mrs B F Acevedo and I E Dobson
Parish / Town Councillors	Councillors J Anderson and S Nunn
Substitute Members	Councillor R G Boyce MBE
In attendance	Councillors E L Bamford, Mrs P A Channer CC, A S Fluker and S J Savage

109. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

110. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence was received from Councillor M R Pearlman and Mr N Hodson, the Independent Person. In accordance with notice duly given Councillor R G Boyce MBE was substituting for Councillor Pearlman.

111. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 23 February 2017 be approved and confirmed.

112. DISCLOSURE OF INTEREST

There were none.

113. CONSTITUTIONAL AND OPERATING ARRANGEMENTS FOR THE JOINT STANDARDS COMMITTEE

The Committee considered the report of the Monitoring Officer on a reference from the Council to review certain aspects of these proposed revised arrangements considered at

the last meeting. The Chairman welcomed to the meeting Mr S Chughtai, Deputy Monitoring Officer.

At the last meeting agreement was reached on a range of potential revisions to the constitutional and operating arrangements for the Committee for recommendation to the Council. At the meeting of the Council on 5 April 2017 concerns were raised principally on:

- the ability of the Councillor being investigated to request that the matter is dealt with in open session, and
- the period of 28 working days given for responses to hearings.

The report sought to provide clarification on both issues and the Deputy Monitoring Officer had written to all Members in response to the queries raised at the Council meeting.

In the discussion that followed, Members raised the following issues:

- the need to ensure that the Leader of the Council was advised of all complaints against District Councillors. It was noted that the Committee had previously highlighted this.
- the changes agreed to the procedure for electing the Chairman and Vice-Chairman of the Committee had not gone far enough in that this should not take place within the confines of the Statutory Annual Meeting but should occur at the first ordinary meeting of the Committee. Councillor S Nunn asked that his dissatisfaction on this point be recorded. It was agreed that no further action was required on this.
- the need for the action point in Stage 1 where the Monitoring Officer may move straight to consultation with the Independent Person if the Councillor complained of declining to meet with or speak to the Monitoring Office to be qualified with the words “without good reason”; equally, the Monitoring Officer needed to be flexible in these arrangements. This was agreed.
- Councillors the subject of conduct complaints had expressed a loss of confidence in the ability of the Monitoring Officer to investigate complaints and should be able to choose to have an independent investigator.
- the Committee had not taken up the recommendations of the Local Government Authority (LGA) Peer Review and should meet on a more regular basis. It was noted that although scheduled meetings had in the past been cancelled for lack of business, special meetings had been arranged as when required.

On the fourth bullet point above, a proposition by Councillor I E Dobson seconded by Councillor Mrs B F Acevedo that as an alternative the Councillor concerned should have the right to revert to this Committee was subsequently withdrawn. It was noted that there would be expense associated with engaging an external investigator.

On a general point regarding the Conduct Complaints Process flowchart, the Committee agreed with the observation of the Committee Services Manager that it had become over-populated and that some written text to summarise the process would be helpful.

There then followed some discussion on the second of the points raised at the Council meeting on the basis of which the entire matter had been referred back to the

Committee. It was agreed that notification of outcomes of the Committee's consideration of reports on and hearings into complaints should be given to the Councillor concerned immediately or otherwise as soon as practicably possible. The ability for a detailed decision notice with reasons could follow within the 28 day period. It was also agreed that the text of the operating arrangements in this respect is aligned with the provisions of the flowchart.

In reply to a question the Committee Services Manager advised that in terms of sanctions the Committee could only recommend to a Parish/Town Council on a complaint against a Parish or Town Councillor. In the event that the recommendation was that training be given it would be open to the Parish or Town Council to procure it.

Subject to the matters highlighted above, the Committee agreed to resolve to recommend to the Council acceptance of the revised constitutional and operating arrangements.

RECOMMENDED

- (i) that the Council agrees that the revisions to the constitutional and operating arrangements of the Joint Standards Committee as outlined in the report and clarified above, and shown as tracked in **APPENDICES 1 and 2** to these Minutes be adopted as part of the Council's constitutional documentation;
- (ii) that as a consequence of a revision included in (i) above, Council and Committee Procedure Rule 20 be amended to also exclude the Joint Standards Committee when conducting its business in private session.

114. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 and 2 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

In response to a point of concern raised it was noted that although there was nothing in the Council's Constitution requiring non-Members of the Committee to leave the meeting at this point, the Committee was recommending to this effect to the Council.

115. COUNCILLOR CODE OF CONDUCT COMPLAINT

The Deputy Monitoring gave a verbal report on progress with the investigation into a conduct complaint involving a District Councillor which had been agreed at the last meeting. This was noted. Members expressed the view that a written report to the Committee would have been preferable and also requested that the Committee be kept informed and updated on all conduct complaints generally.

There being no further items of business the Chairman closed the meeting at 6.10 pm

REV. A E J SHRIMPTON
CHAIRMAN