

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **STANDARDS COMMITTEE** held on Wednesday 4 June 2014 at 6.00pm

Present:

Councillors: R J Chesterton, Mrs F J Colthorpe, R M Deed, R Evans, C Slade, P F Williams, Mrs N Woollatt and R Wright

Apology:

Councillor: Mrs L J Holloway

Also Present:

Councillors: R F Radford, Mrs J Roach and R L Stanley

Officers

Present: K Finan (Chief Executive), A Tregellas (Head of Communities and Governance, Monitoring Officer) and S Gabriel (Principal Member Services Officer).

1. **CHAIRMAN – ELECTION OF CHAIRMAN** (Vice Chairman of the Council, Cllr R F Radford in the Chair)

RESOLVED that Cllr R M Deed be elected Chairman of the Committee for the municipal year 2014/15.

Cllr Deed then took the Chair

2. **VICE CHAIRMAN – ELECTION OF VICE CHAIRMAN**

RESOLVED that Cllr P F Williams be elected Vice Chairman of the Committee for the municipal year 2014/5.

3. **PUBLIC QUESTION TIME**

There were no members of the public present.

4. **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the previous meeting on 12 February 2014 were approved as a true record and signed by the Chairman.

5. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

6. **MOTION 480 (17 FEBRUARY 2014) CLLR MRS J ROACH (Recording 6 minute 30 seconds)**

The following Motion had been approved by Council on 26 February 2014

“This Council resolves to clarify who has the authority to take disciplinary action against Councillors and under what circumstances such action can be taken”.

The Chairman invited Cllr Mrs Roach to speak to the item:- she outlined the reasoning behind her motion to Council and suggested that any disciplinary action against a Councillor should be grounded within the Constitution and therefore asked the Committee to consider this issue.

The Chief Executive outlined his reasoning for not allowing 2 Councillors access to the back office of Phoenix House. He stated that he had not taken disciplinary action but as Head of Paid Service he had a duty of care over his officers and had therefore removed the ability to access the working environment of the authority from the 2 Councillors involved in these discussions. He explained that if complaints of a breach of the Code of Conduct had been brought against either Councillor, the Standards Committee had little power to deal with the situation following regulations under the Localism Act 2011.

Discussion followed with regard to:

- Possible research into similar issues arising in other authorities.
- Issues could have been dealt with by specific Political Group Leaders.
- The need for a procedure to be put in place should such an issue arise in the future.
- The possibility of relocating the Members Room from within the working environment to a more accessible area of the building.
- Possible mediation.

It was therefore

RESOLVED that:

a) the Monitoring Officer be requested to draw up a procedure regarding the issue discussed and present it to the next meeting of the Committee;

b) the Chairman and the Chief Executive enter into discussions with regard to possible mediation with the parties involved.

(Proposed by the Chairman)

7. CONSTITUTION WORKING GROUP (Recording 56 minutes)

The Monitoring Officer stated that the Group were making progress and that the Articles, Responsibility for Functions and the Rules of Procedure had all been considered and it was hoped that the Articles could be brought before the next meeting of the Committee.

8. COMPLAINTS (recording 1 hour)

The Monitoring Officer informed the Committee of 2 complaints against District Councillors that were being reviewed and that no new complaints had

been received regarding any Town and Parish Councillors. She was however working alongside one particular Town/Parish Council which would be discussed later in the meeting.

9. **TRAINING (recording 1 hour, 4 minutes)**

Discussion took place regarding ethical standards training as part of the induction programme for new Councillors following the election in 2015. It was **AGREED** that Members would consider the programme when it was available.

10. **ACCESS TO INFORMATION ACT – EXCLUSION OF THE PRESS AND PUBLIC.**

As there was a need to protect specific individuals in the Town/Parish Council being discussed, the Committee:

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, namely information relating to any individual.

11. **MATTERS ARISING RELATING TO A TOWN/PARISH COUNCIL**

The Monitoring Officer outlined issues regarding a particular Town/Parish Council that she had been working with and requested the Committee to consider the issues that she had raised.

RESOLVED that: a formal letter be sent by the Chairman to the Town/Parish Council in question outlining his concerns and that the Chief Executive and the Monitoring Officer follow this up with a visit.

(Proposed by the Chairman)

12 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

- Constitution
- Update regarding complaints
- Officer Code of Conduct – to be updated and approved
- Update on Motion 480 (Cllr Mrs J Roach)

It was **AGREED** that the next meeting of the Committee would take place on a date to be confirmed in July 2014 at 6.00pm.

(The meeting terminated at 7.30pm)

CHAIRMAN