

## Mid Devon District Council

### Standards Committee

Wednesday, 7 July 2021 at 6.00 pm  
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting  
Wednesday, 13 October 2021 at 6.00 pm

**Important** - this meeting will take place at Phoenix House, but members of the Public and Press can and should attend via Zoom only. Please do not attend Phoenix House without prior agreement. The attached Protocol for Hybrid Meetings explains how this will work.

Join Zoom Meeting

<https://zoom.us/j/92536641580?pwd=aWNTR01pS3N2Zmx4U2Mzd2hyS2xUQT09>

Meeting ID: 925 3664 1580

Passcode: 186151

One tap mobile

08003582817,,92536641580#,,,,\*186151# United Kingdom Toll-free

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Dial by your location

0 800 358 2817 United Kingdom Toll-free

0 800 031 5717 United Kingdom Toll-free

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Meeting ID: 925 3664 1580

Passcode: 186151

Find your local number: <https://zoom.us/u/an8Lfl0nO>

## Membership (as of 29 June 2021)

Cllr Mrs F J Colthorpe

Cllr R M Deed

Cllr C J Eginton

Cllr C R Slade

Cllr Mrs M E Squires

Cllr L D Taylor

Cllr A White

Cllr Mrs N Woollatt

Cllr A Wyer

# **A G E N D A**

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

- 1       **ELECTION OF CHAIRMAN**  
To elect a Chairman of the committee for the municipal year 2021/22.
- 2       **ELECTION OF VICE CHAIRMAN**  
To elect a Vice Chairman of the Committee for the municipal year 2021/22.
- 3       **APOLOGIES AND SUBSTITUTE MEMBERS**  
To receive any apologies for absence and notices of appointment of Substitute Members (if any).
- 4       **PROTOCOL FOR HYBRID MEETINGS** (*Pages 7 - 14*)  
Members are requested to note the protocol for hybrid meetings.
- 5       **PUBLIC QUESTION TIME**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.  
  
Note: A maximum of 30 minutes is allowed for this item.
- 6       **MINUTES** (*Pages 15 - 20*)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 3 February 2021.
- 7       **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**  
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 8       **CHAIRMAN'S ANNOUNCEMENTS**  
To receive any announcements the Chairman of the Committee may wish to make.
- 9       **TO CONSIDER ANY MATTERS OR MOTIONS REFERRED FROM COUNCIL**

**i) MOTION 569 - (COUNCILLOR A WILCE – 8 FEBRUARY 2021)**

The Council at its meeting on 24 February 2021 agreed that the Standards Committee be asked to look into the following:

That this Council resolves to ask the Standards Committee to review Rule 14.4 (Automatic Reference to Committee) and to recommend whether this Council should either:

- a) completely remove rule 14.4 or
- b) amend the rule to re-enable the Member putting a Motion forward, and the Member seconding that Motion, to speak to that Motion (and for any further discussion to take place on that Motion that the Chairman may see fit), before that Motion shall stand referred to a Committee or
- c) make no changes

**ii) MOTION 570 (COUNCILLOR A WILCE - 8 FEBRUARY 2021)**

This motion has been passed from Council (February 2021) to the Standards Committee for consideration and report:

That, to improve local planning consultation processes and to regularise current Planning Committee practises, this Council resolves to amend Rule 27.5 as follows:

After (Appendix J to the Constitution), is inserted: in addition, the Chair will also permit the following to speak for no more than 3 minutes, without prior notice being required:

1 Adjacent Ward Members

2 Any Member having previously submitted a comment to that application that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.

So as to read:

27.5 Any Councillor may attend any meeting of a committee of the Council and may speak on any agenda item for that meeting. However, in relation to the Planning Committee, the right to speak on a planning application, enforcement item, or other report relating to a particular ward of the Council shall be limited to the rights of a Ward Member to speak as set out in paragraphs 9.2 and 9.3 of the Protocol of Good Practice for Councillors Dealing in Planning Matters (Appendix J to the Constitution); *in addition, the Chairman will also permit the following to speak for no more than 3 minutes, without prior notice being required:*

*1 Adjacent Ward members*

*2 Any Member having previously submitted a comment to that Application that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.*

**iii) Any other matters or motions referred from Council on 1<sup>st</sup> July 2021**

To consider items passed to the Standards Committee from the Council meeting held on 1 July 2021

**iv) To consider and note the resolutions of Council with regard to the Governance Review**

Councillor C R Slade **MOVED**, seconded by Councillor R L Stanley that: the Council asks the Standards Committee to review any proposals for constitutional change which the Head of Legal (Monitoring Officer), the Chairman of the Scrutiny and Audit Committees and/or the Chairmen of the Policy Development Groups put forward in support of the working arrangements for those committees and groups.

10 **ANNUAL REPORT OF THE MONITORING OFFICER** (Pages 21 - 26)

To consider the annual report of the Monitoring Officer.

11 **AMENDMENTS TO THE CONSTITUTION FOLLOWING MOTIONS APPROVED BY COUNCIL**

To consider any amendments to the Constitution following Motions approved by Council in the period since the last meeting.

The Committee is requested to note **Motion 568** (Councillor A Wilce) which was approved by Council on 24 February 2021 and that amendments were made to the Constitution accordingly:

*That, to prevent further ambiguity by making the wording more concise, this Council resolves to amend Rule 14.4 (Automatic reference to Committee) by removing the reference to 'Council' and replace it with 'Chairman' and to insert after 'report' 'unless an alternative proposition is put forward and is accepted'*

So as to read:

*14.4 Automatic Reference to Committee*

*If the subject matter of any Motion, of which notice has been duly given, comes within the province of the Cabinet or any Committee or Committees it shall, upon being formally moved and seconded, shall stand referred, without the mover or seconder of the Motion speaking on the substance of the Motion and without any other discussion, to the Cabinet or such Committee or Committees, or to such other Committee or Committees as the **Chairman** may determine, for consideration and report, **unless an alternative proposition is put forward and is accepted**; and that the mover (or in his absence, the seconder) of the Motion should be invited to the Meeting of the Cabinet, Committee or Committees to amplify the Motion, but without any right to vote except as a Member of such Committee. Provided that the Chairman may, if he considers it convenient and conducive to the despatch of business allow*

*the Motion to be dealt with at the meeting, at which it is brought forward.*

12 **MODEL CODE OF CONDUCT**

At the previous meeting the committee resolved that a working group be formed consisting of Cllrs Mrs F J Colthorpe, C J Eginton and L D Taylor (the Independent Persons also be requested to attend) to consider the model code once the detailed guidance had been received along with Appendix K of the Constitution. To date the guidance has not been received, however members may wish consider starting work in advance of the receipt of the guidance.

13 **START TIMES OF MEETINGS**

To consider a start time for future meetings of the Committee.

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

Members are asked to identify any items they would like brought forward to future meetings.

**Stephen Walford**  
Chief Executive  
Tuesday, 29 June 2021

## **Covid-19 and meetings**

From 7 May 2021, the law requires all councils to hold formal meetings in person. However, the Council is also required to follow government guidance about safety during the pandemic. For a short period -- the Council will enable all people to continue to participate in meetings via Zoom.

You are strongly encouraged to participate via Zoom to keep everyone safe - there is limited capacity in meeting rooms if safety requirements are to be met. There are restrictions and conditions which apply to those in the building and the use of the building. You **must not** attend a meeting at Phoenix House without complying with the requirements in the new protocol for meetings. You **must** follow any directions you are given.

Please read the new meeting protocol which is available here: <https://democracy.middevon.gov.uk/documents/s21866/aaaaHybridMeetingProtocolMay2021.pdf>

If you want to ask a question or speak, email your full name to **[Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk)** by **no later than 4pm on the day before the meeting**. This will ensure that your name is on the list to

Speak and will help us ensure that you are not missed – as you can imagine, it is easier to see and manage public speaking when everyone is physically present in the same room. Notification in this way will ensure the meeting runs as smoothly as possible.

For assistance please contact Sally Gabriel on:

Tel: 01884 234229

E-Mail: [sgabriel@middevon.gov.uk](mailto:sgabriel@middevon.gov.uk)

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