

# Mid Devon District Council

## Standards Committee

Monday, 19 October 2015 at 6.00 pm  
Exe Room, Phoenix House

Those attending are advised that this meeting will be recorded

## Membership

Cllr R J Chesterton  
Cllr Mrs F J Colthorpe  
Cllr N V Davey  
Cllr Mrs S Griggs  
Cllr Mrs J Roach  
Cllr F J Rosamond  
Cllr C R Slade  
Cllr Mrs M E Squires  
Cllr L D Taylor

## 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        **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.
- 2        **ELECTION OF CHAIRMAN (VICE CHAIRMAN OR CHAIRMAN OF THE COUNCIL IN THE CHAIR)**  
To elect a Chairman for the municipal year 2015/16.
- 3        **ELECTION OF VICE CHAIRMAN**  
To elect a Vice Chairman for the municipal year 2015/16.
- 4        **MINUTES** (*Pages 5 - 6*)  
To approve as a correct record the minutes of the last meeting of this Committee (attached).
- 5        **CHAIRMAN'S ANNOUNCEMENTS**  
To receive any announcements the Chairman of the Committee may wish to make.

6 **APOLOGIES AND SUBSTITUTE MEMBERS**

To receive any apologies for absence and notices of appointment of Substitute Members (if any).

7 **DRAFT CONSTITUTION** (*Pages 7 - 218*)

To consider the new draft constitution for recommendation to Council and that consideration also be given to the following recommendation from the Audit Committee:

**“RECOMMENDED** to the Standards Committee that it considers amending the Constitution so that wherever it mentions decisions taken by the Chief Executive that the words ‘in accordance with the law’ be inserted alongside.”

Councillor Mrs J Roach has asked that the following amendments be considered to the Scheme of Delegation:

Page 38

8.6 add to end...’but specifically excluding car parking charges’.

Page 56 ...8.5 That para 8.5 be replaced with Para 8.5 as printed in the constitution.

Page 58 d - Add to ‘The Chief Execs decision may be subject to a review by the scrutiny committee’.

e - add ‘subject to the agreement of full council’.

Page 62

That any part of this delegation that is consequential upon the adoption of the new constitution be not approved until the new constitution has been approved by full council.

8 **COMPLAINTS**

To receive an update from the Monitoring Officer with regard to any on-going complaints being dealt with. During the discussion it may be necessary to consider passing the following resolution to protect the Members of District, Town and Parish Council’s being discussed.

During discussion of this item it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Committee will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

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

RECOMMENDED 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 an individual

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

Members are asked to note that the following items are already identified in the work programme for the next meeting:

**Kevin Finan**  
Chief Executive  
Monday, 12 October 2015

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access to the Council Chamber on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Julia Stuckey on:

Tel: 01884 234209

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

Public Wi-Fi is available in all meeting rooms.