

# Mid Devon District Council

## Standards Committee

Wednesday, 12 December 2018 at 6.00 pm  
Exe Room, Phoenix House, Tiverton

Next ordinary meeting  
Wednesday, 13 February 2019 at 6.00 pm

Those attending are advised that this meeting will be recorded

## Membership

Cllr Mrs J B Binks  
Cllr Mrs F J Colthorpe  
Cllr C J Eginton  
Cllr F J Rosamond  
Cllr Mrs E J Slade  
Cllr C R Slade  
Cllr Mrs M E Squires  
Cllr L D Taylor  
Cllr Mrs N Woollatt

## A G E N D A

- 1 **APOLOGIES AND SUBSTITUTE MEMBERS**  
To receive any apologies for absence and notices of appointment of Substitute Members (if any).
- 2 **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.
- 3 **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.
- 4 **MINUTES** (*Pages 5 - 8*)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 6 June 2018.
- 5 **CHAIRMAN'S ANNOUNCEMENTS**  
To receive any announcements the Chairman of the Committee may

wish to make.

6 **PROCEDURES FOR MONITORING AND ASSISTING THE DELIVERY OF HOUSING AND EMPLOYMENT DEVELOPMENTS** (Pages 9 - 12)

Arising from a report of the Head of Planning, Economy and Regeneration, the Cabinet have made the following recommendation:

- a) The governance arrangements set out in this report for setting up a Development Delivery Advisory Group is recommended to the Council for adoption.
- b) Following adoption that the necessary changes are made to the Constitution.

7 **THE TERMS OF REFERENCE OF THE AUDIT COMMITTEE** (Pages 13 - 18)

At its meeting on 18 September 2018, the Audit Committee resolved as follows:

It is **RECOMMENDED** that the Terms of Reference of the Audit Committee be amended to include:

- i. Other assurance bodies including partnerships and collaboration arrangements.
- ii. Ethical framework

That recommendation has been through Full Council, but the precise wording was not clear at the time. The following changes to the Terms of Reference are therefore suggested and there is no intention that the Audit Committee take over any of the functions of the Standards Committee. The purpose of the changes was to reflect the guidance from CIPFA in relation to corporate governance, but also to emphasise that the Audit Committee can support the functions of the Standards Committee in driving up standards.

It is therefore **RECOMMENDED** that the Terms of Reference of the Audit Committee at Article 9 in the Constitution be amended by added the words in bold below:

9.1(a) Providing independent assurance of the adequacy of the risk management framework and the associated control environment, **including (from the perspective of the Council) those partnership or joint working arrangements the Council has with other bodies and how their risk management and controls might impact the Council;**

9.2) (q) Consider the Council's compliance with its own and other published standards and controls, **including supporting the Council's adopted ethical standards framework and the work of the Standards Committee**

8 **COUNCILLORS - LEAVE OF ABSENCE FROM COUNCIL MEETINGS**  
(Pages 19 - 26)

Cllr Mrs N Woollatt has requested that Members consider the attached document from Malvern Hills District Council.

The legislation and part of the constitution is also available for Members to consider.

9 **THE CONSTITUTION**

The Monitoring Officer will report verbally on progress since the last meeting and Members of the Committee are invited to suggest how revisions to the Constitution should be considered going forward.

10 **STANDARDS TRAINING**

To receive an update from the Monitoring Officer on training delivered since the last meeting.

11 **ASSOCIATION OF DEMOCRATIC SERVICES OFFICERS CONFERENCE - VERBAL REPORT**

To receive a verbal report from the Member Services Manager/Deputy Monitoring Officer following her attendance at the above conference.

12 **COMPLAINTS**

To receive an update from the Monitoring Officer on complaints concluded since the last meeting. 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

13 **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:

- Indemnity for Members and Officers – new
- Scheme of Delegations - revision
- Officer Employment Procedure Rules – revision

**Stephen Walford**

Chief Executive

Tuesday, 4 December 2018

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 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 Sally Gabriel on:

Tel: 01884 234229

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

Public Wi-Fi is available in all meeting rooms.