

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **STANDARDS COMMITTEE** held on 14 January 2015 at 6.00 pm

Present

Councillors R M Deed (Chairman)
R J Chesterton, Mrs L J Holloway,
C R Slade, Mrs M E Squires, P F Williams
(Vice Chairman) and Mrs N Woollatt

Apologies

Councillors Mrs F J Colthorpe and R Evans

Also Present

Councillors D F Pugsley

Also Present

Officers: Julia Stuckey (Member Services Officer) and Amy Tregellas (Head of Communities and Governance and Monitoring Officer)

40 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Councillor Mrs F P Colthorpe and Councillor R Evans.

41 PUBLIC QUESTION TIME

There were no members of the public present.

42 MINUTES

The minutes of the last meeting were agreed as a true record and signed by the Chairman.

43 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

44 CONSTITUTION WORKING GROUP (00:02:55)

The Head of Communities and Governance and Monitoring Officer outlined the recent work of the Constitution Working Group.

The Officer explained that the Member Code of Conduct had recently been updated so the Group did not consider it necessary to make changes to it and that the Member/Officer Protocol would come to the next Standards Committee. The Scheme of Delegation was being updated and the Planning Working Group was being looked at to establish where it should fit, it was currently included in the Allocation. The

Chairman of the Audit Committee had requested that the number of Members be increased from 5 to 7 so this would be added.

The Officer intended to meet with Members of the Cabinet to update their responsibilities and would also use this to indicate which areas of responsibility sat with each of the Policy Development Groups.

The Working Group would be looking at Member Job Descriptions next, using examples from other authorities as well as the model constitution to produce them.

The Committee worked through the amended Articles:

Discussion took place regarding citizens' rights and the difference between petitions and submitting a petition requesting a referendum. Not all citizens would be eligible to vote in all elections so it was **AGREED** that the Monitoring Officer would check if citizen was an appropriate term or whether wording such as 'eligible elector' would be a more accurate term to use.

Wording explaining that the Constitution and the Forward Plan must be published to be added to Article 3.

It was **AGREED** that the section on Citizen Responsibly should include the sentence 'Citizens should not publish anything about individual Councillors or Officers that was slanderous or libellous. The Committee considered this to be very important with the current use of social media.

At the section regarding Chairing the Council it was **AGREED** that the word 'impartially' be added to 5.2 presiding over meetings and that the job description for Chairman to include that Chairman should always act impartially, in a non-partisan manner and not convey any personal animosity.

Discussion took place regarding a caveat that had been added to the section on Standards Sub Committee Specific Functions. The caveat allowed for the Head of Paid Service to determine a course of action if a Councillor had acted outside of their role of Councillor. It was **AGREED** the wording 'following discussion with Chairman and Vice Chairman of the Standards Committee' be added.

The Monitoring Officer would circulate information regarding Officer Decisions to the Committee.

The Monitoring Officer would discuss hospitality with Management Team to establish an amount considered appropriate for Officers and Members.

Notes:- Paperwork previously circulated and attached to the minutes.

45 **EXCLUSION OF THE PRESS AND PUBLIC (01:04:58)**

Councillor D F Pugsley had raised the following matter at the Scrutiny Meeting held on 8 December 2014.

Exclusion of Press and Public. Following discussion it was **RECOMMENDED** to the Standards Committee that Procedure Rule 21 be amended to ensure that whenever

there was a possibility that an item may need to be discussed in part two the agenda should include a brief explanation as to why this might be the case, in plain English, and make reference to the Constitution, Article 12, which mentions a presumption in favour of openness and transparency.

Discussion took place regarding Part II and the importance of making the reasons for using it very clear in both agenda and minutes.

RESOLVED that Procedure Rule 21 have the following text added as a second paragraph referring to 12.02.d.

Whenever there is a possibility that an item may need to be discussed in part two the agenda should include a brief explanation as to why this might be the case, in plain English, and make reference to the Constitution, Article 12, which mentions a presumption in favour of openness and transparency.

Proposed by the Chairman.

46 **STATE OF THE DISTRICT DEBATE (01:14:10)**

Motion 495 had previously been referred to the Standards Committee for consideration and report:

The Standards Committee at its meeting on 12 November 2014 considered this proposal and recommended that it be supported.

Following discussion at Council, it was AGREED that Motion 495 be referred back to the Standards Committee as Members requested further clarification with regard to who would request the subject of the debate.

Discussion took place regarding the debate and it was agreed that if the Leader had failed to call a debate within the specified time it was likely that he did not have a topic for the debate.

RECOMMENDED to Council that the following sentence be added at the end of Procedure Rule 16.1: - If the Leader declines or fails to call a debate within nine months in any municipal year, it may be called by notice in writing to the Chief Executive signed by any 10 Members of the Council and that the debate shall be held on the subject specified by those 10 Members.

(Proposed by Cllr C R Slade and seconded by Cllr R J Chesterton)

47 **STANDARDS SUB COMMITTEE (01:23:30)**

The Head of Communities and Governance and Monitoring officer confirmed that following a meeting of the Standards Sub Committee held on Friday 9th January 2015 further correspondence would be sent to a Town/Parish Council.

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

Update from the Constitution Working Group

(The meeting ended at 7.30 pm)

CHAIRMAN