

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **STANDARDS COMMITTEE** held on 9 October 2019  
at 6.00 pm

### **Present**

**Councillors** C J Eginton (Chairman)  
Mrs F J Colthorpe, C R Slade,  
Mrs M E Squires, L D Taylor, A White,  
A Wilce, Mrs N Woollatt and A Wyer

### **Also Present**

**Councillor(s)** R Evans

### **Also Present**

**Officer(s):** Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer) and Sally Gabriel (Member Services Manager)

## **12 APOLOGIES AND SUBSTITUTE MEMBERS**

There were no apologies.

## **13 PUBLIC QUESTION TIME**

There were no members of the public present.

## **14 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-01-07)**

Members were reminded of the need to make declarations of interest when necessary.

## **15 MINUTES (00-01-15)**

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

## **16 CHAIRMAN'S ANNOUNCEMENTS (00-02-00)**

The Chairman had no announcements to make.

## **17 REGISTERS OF INTERESTS - PARISH COUNCILS (00-02-05)**

The Committee had before it a \*report of Monitoring Officer updating it on the number of outstanding registers from parish councils in the district and to consider what should be done to remedy this.

The officer outlined the contents of the report highlighting the requirements when it came to the completion of registers of interests: she explained that members were required to submit their completed register of interests to the Monitoring Officer within 28 days of taking office and within 28 days of any changes arising to those interests,

and that the same rules applied to parish councillors. She informed the meeting that despite the chasing of individuals, there were still a number of parish registers outstanding.

Section 34 of the Localism Act 2011 stated that it was an offence without reasonable excuse to fail to comply with the obligation to submit a register of interests in the manner required by the law which included the 28 day rule and that most codes of conduct would have the same requirements. It was therefore suggested that those parish councillors were in breach of the Code of Conduct and that this was also an offence under the Localism Act and therefore a matter for the police. She was willing to write to each councillor individually requesting them to rectify the situation within a tight timescale.

Consideration was given to:

- Whether the issue should be dealt with via the Code of Conduct complaints system
- One more formal letter to try to rectify the situation
- The impact of police action on local parish councils
- Whether police time would be justified on what seemed a minor offence
- Whether other councils were dealing with the same problem
- The fact that the Monitoring Officer could not ignore the situation
- The fact that the police were now aware of the issue and the timescales

It was therefore

**RESOLVED** that the Monitoring Officer issue a final warning to those councillors in default with the threat that if they failed to comply within 7 days then the police would be informed.

(Proposed by Cllr C R Slade and seconded by Cllr Mrs M E Squires)

Notes:

- i) Cllr Mrs F J Colthorpe requested that her vote against the decision be recorded;
- ii) \*Report previously circulated, copy attached to minutes.

18 **STANDARDS WORKING GROUP REPORT - REVIEW OF THE JANUARY 2019 REPORT FROM THE COMMITTEE ON STANDARDS IN PUBLIC LIFE (00-19-40)**

The Committee had before it a \*report of the Monitoring Officer updating it on the Standards Working Group's consideration of the report of the Committee on Standards in Public Life issued in January 2019.

The Chairman outlined the contents of the report and walked through the actions recommended by the working group.

Consideration was given to whether council's should report on separate bodies they had set up or which they owned as part of their annual governance statement and whether those bodies should abide by the Nolan Principles of openness and publish their board agendas and minutes. The Monitoring Officer stated that she found this

recommendation from the Committee on Standards in Public Life unusual, bearing in mind commercial confidentiality and sensitivity and she felt that any of this information should not be put into the public domain. As stated within the notes, she had looked at some of the board agendas and minutes in confidence and found that those documents particularly the minutes did contain personal data and commercially sensitive information on 3 Rivers and third party owners, developers and contractors.

It was therefore:

**RESOLVED** that the recommendations of the Standards Working Group be agreed and that the actions taken to date be noted.

(Proposed by the Chairman)

Further:

**RECOMMENDED** to Council that the consequential revisions to the Code of Conduct as set out in part 3 of the report be approved and that the revised Code be adopted.

(Proposed by the Chairman)

Note: \*report previously circulated, copy attached to minutes.

## 19 **THE CHALLENGE OF SOCIAL MEDIA FOR MEMBERS (00-26-44)**

The Committee had before it an \*open letter from Jonathan Evans, Chair of the Committee on Standards in Public Life. The Monitoring Officer stated that we lived in a social media age and that the use of social media was an instant platform for members to engage with their electorate, however there was a difference between member's public and personal life and that members would have to be very careful to separate these.

Consideration was given to:

- The use of social media in a public and private capacity
- The possibility of a policy on social media being progressed
- There had been some social media guidelines provided to members by the Communications Team which had included a reminder about the risk of using social media
- Whether the working group should be reconvened to consider such a policy

It was therefore:

**RESOLVED** that the working group comprising of Cllrs C J Eginton, L D Taylor, A Wilce and Mrs N Woollatt be reconvened to consider the need for a policy on the use of social media by members and that the findings of the working group be considered by the Committee at its next meeting.

(Proposed by Cllr C R Slade and seconded by Cllr Mrs N Woollatt)

Note: \*open letter previously circulated, copy attached to minutes.

## 20 COMPLAINTS

The Monitoring Officer provided an update regarding the number of complaints received since the previous meeting.

## 21 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

It was **AGREED** that the following be considered at future meetings of the committee:

- Report from the Standards Working Group on a social media policy
- Update on the outcome of the Register of Interests issue
- Training needs for the committee
- The LGA were preparing a draft model Code of Conduct which would be considered when it was available
- Complaints update
- Information regarding the new Independent Person if appropriate.

(The meeting ended at 6.42 pm)

**CHAIRMAN**