



Epping Forest District Council

STANDARDS COMMITTEE **Tuesday, 17th October, 2006**

Place: Civic Offices, High Street, Epping

Room: Committee Room 1

Time: 7.30 pm

Committee Secretary: Graham Lunnun. Research and Democratic Services
Tel: 01992 564244 Email: glunnun@eppingforestdc.gov.uk

Members:

Dr D Hawes (Chairman), Ms M Marshall, G Welch, Councillors Mrs D Borton and Mrs P Smith

Parish/Town Council Deputy Representative(s):

Councillors J Salter, K Percy (Deputy)

1. APOLOGIES FOR ABSENCE

2. MINUTES (Pages 7 - 10)

To approve as a correct record the minutes of the meeting held on 18 July 2006 (attached).

3. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

4. PLANNING PROTOCOL - PLANNING APPLICATIONS SUBMITTED BY MEMBERS AND OFFICERS (Pages 11 - 20)

(Deputy Monitoring Officer) To consider the attached report.

**5. STAPLEFORD ABBOTTS PARISH COUNCIL - ADMINISTRATIVE PROCEDURES
(Pages 21 - 24)**

Recommendation:

To consider a letter dated 6 August 2006 from the Clerk of the Stapleford Abbots Parish Council.

(Monitoring Officer) At its meeting on 18 July 2006, the Committee requested that the Clerk of the Stapleford Abbots Parish Council notify the Monitoring Officer of the Parish Council's formal response to the comments made by the Committee about a lack of transparency of some of the Parish Council's administrative procedures.

Attached is a copy of a letter dated 6 August 2006 from the Clerk of the Parish Council.

**6. TRANSFER OF ASSESSMENT OF ALLEGATIONS - STANDARDS BOARD
SUPPORT (Pages 25 - 26)**

(Monitoring Officer) To consider the attached report.

7. ADJUDICATION SUB-COMMITTEE - DETERMINATION (Pages 27 - 32)**Recommendation:**

- (1) That the decision of the Adjudication Sub-Committee be noted; and**
- (2) That further consideration be given to the advice issued to members in July 2005 on interests arising from membership of outside organisations and other public authorities.**

(Monitoring Officer) At a meeting on 5 September 2006, the Adjudication Sub-Committee appointed by the Standards Committee, considered an allegation about the conduct of District Councillor Mrs D Collins by Mrs J Abel, Clerk of the Ongar Town Council on behalf of the Town Council. The complainant had been of the view that Councillor Mrs Collins had breached the Code of Conduct by failing to declare a prejudicial interest and withdraw from a meeting of the Council's Area Plans Sub-Committee held on 21 September 2005 when consideration had been given to a planning application for a medical and day care centre at The Borough, Ongar.

The Sub-Committee decided that the Councillor Mrs Collins had failed to comply with paragraph 10 of the Code of Conduct by not declaring a prejudicial interest.

The Sub-Committee also decided that no sanction be imposed having regard to:

- (a) Councillor Mrs Collins had not sought any personal of financial gain, her sole aim had been to secure an improved health facility for the benefit of Ongar residents;
- (b) she had acknowledged that she had not fully appreciated the difference between the former test of a pecuniary interest and the relevant test of a prejudicial interest, and that she should have given more careful consideration to the public perception of her actions;
- (c) she had acknowledged her mistake, apologised for not taking greater care and for the inconvenience caused, and had indicated an intention to attend future training in relation to the Council's Code of Conduct and the Planning Protocol.

The Sub-Committee further recommended that this Committee be asked to clarify and update the advice issued to members in July 2005 on interests arising from membership on outside organisations and other public authorities. The advice previously issued is attached together with suggested amendments to paragraph 5 and the Appendix shown in italics.

8. ALLEGATIONS ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS - CURRENT POSITION (Pages 33 - 34)

(Monitoring Officer) To note the attached schedule.

9. DATES OF FUTURE MEETINGS

(Monitoring Officer) The calendar for 2006/07 provides for meetings of the Committee on 27 February 2007 and 25 April 2007.

Additional meetings can be arranged as and when required by the Committee.

10. EXCLUSION OF PUBLIC AND PRESS

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

Agenda Item No	Subject
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.