



# Epping Forest District Council

## **STANDARDS COMMITTEE** **Tuesday, 14th April, 2009**

**Place:** Civic Offices, High Street, Epping  
**Room:** Committee Room 1  
**Time:** 7.30 pm  
**Committee Secretary:** G Lunnun - The Office of the Chief Executive  
Tel: 01992 564244 Email: glunnun@eppingforestdc.gov.uk

### **Members:**

Ms M Marshall (Independent Member)(Chairman), Councillor S Murray (District Council Representative), Councillor B Rolfe (District Council Representative), Councillor Mrs P Smith (District Council Representative), G Weltch (Independent Member)and M Wright (Independent Member)

### **Parish/Town Council Deputy Representative(s):**

Councillor Mrs D Borton, Councillor J Salter,Councillor B Surtees

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#### **1. APOLOGIES FOR ABSENCE**

#### **2. MINUTES (Pages 5 - 8)**

To approve as a correct record the minutes of the meeting held on 27 January 2009 (attached).

#### **3. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda.

#### **4. THE STANDARDS COMMITTEE (FURTHER PROVISIONS) REGULATIONS 2009**

##### **Recommendation:**

**That the issues to be covered by the regulations be noted.**

(Monitoring Officer) Draft regulations are being prepared which will allow the Standards Board to suspend the initial assessment functions of an authority and will enable authorities to establish joint standards committees. They will also amend the powers of standards committees to grant dispensations to members who would

otherwise be unable to take part in authority business because of a prejudicial interest. The regulations are expected to come into force in May 2009.

The circumstances in which the Standards Board will intervene are likely to include an authority's failure to comply with Standards Board guidance or directions, or where the standards committee or monitoring officer fail to carry out their functions properly. An authority can also ask the Board to intervene. If the Board makes a direction the authority must publish details of it in a local newspaper and any other publication the Board thinks is appropriate.

Joint standards committees will be able to deal with all or any functions of a standards committee but there can be no concurrent functions. The finances are to be shared as agreed by the authorities and in default of agreement by an arbitrator appointed by them. The Standards Board will be producing guidance including a draft constitution or terms of reference.

A new provision will clarify that members can seek a dispensation where the political balance of the meeting would be upset sufficiently to prejudice the outcome of voting on the issue.

## **5. STANDARDS BOARD ANNUAL RETURNS**

### **Recommendation:**

**That the introduction of annual returns be noted.**

(Monitoring Officer) From April 2009, the Standards Board will be collecting information from standards committees in the form of an annual return. The information required will be on the arrangements for supporting the ethical conduct and questions will ask about protocols for member/officer relations, the existence of mechanisms for dealing with member/member and member/officer disputes, the chairman of the committee relationship with the Chief Executive, Monitoring Officer and Council Leader, steps being taken to promote the committee's work, and general activities of the committee including training.

The annual return will take the form of an online questionnaire, similar to the quarterly return.

## **6. ANNUAL ASSEMBLY OF STANDARDS COMMITTEES - 2009**

### **Recommendation:**

**To consider whether to appoint representatives to attend the Annual Conference.**

(Monitoring Officer) The Standards Board's Annual Assembly will be held on 12 and 13 October 2009 at the ICC, Birmingham.

The 2009 Assembly will have a range of sessions including:

- (a) making sense of political party governance and discipline;

- (b) exploring the effectiveness of the ethical environment;
- (c) working effectively with members, council leaders and chief executives to embed high standards in the culture and governance of your authority; and
- (d) improving the skills of the standards committee.

The Standards Board say that they have worked with a forum of monitoring officers, independent chairs and standards committee members to develop a range of workshops, plenary sessions and advice clinics that will concentrate on good practice, and answer questions on key areas of the standards framework.

The cost is £430 plus VAT per delegate which includes conference materials and refreshments (Monday lunch and dinner and Tuesday lunch). One day attendance is £230 plus VAT per delegate which includes conference materials and refreshments (Monday dinner and lunch on the day attending).

#### **7. BIAS AND THE CODE OF CONDUCT - HIGH COURT DECISION (Pages 9 - 12)**

(Monitoring Officer) To consider the attached report on a High Court decision..

At the last meeting, the Committee received an initial oral report on this case and decided that the issue should be taken into account as part of the current review of the Planning Protocol.

#### **8. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS (Pages 13 - 14)**

(Monitoring Officer) To consider the attached report on the current position of allegations made about District and Town/Parish Councillors.

#### **9. DATES OF FUTURE MEETINGS**

(Monitoring Officer) The calendar for 2009/10 provides for meetings of the Committee on 14 July 2009, 13 October 2009, 19 January 2010 and 13 April 2010.

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:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	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:

<b>Agenda Item No</b>	<b>Subject</b>
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.