

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Assessment Subcommittee - **Date:** 10 May 2010
Epping Forest District Standards
Committee

Place: Group Room, Room 1.19, First **Time:** 10.00 - 10.30 am
Floor, Civic Offices, High Street,
Epping

Members Present: M Wright (Chairman), B Rolfe and B Surtees

Other Councillors:

Apologies:

Officers Present: C O'Boyle (Director of Corporate Support Services) and S G Hill (Senior Democratic Services Officer)

72. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

73. MINUTES

Noted that the minutes of the last meeting required amendment and would be resubmitted to the Chairman following the meeting.

74. THE CODE OF CONDUCT AND ASSESSMENT CRITERIA

The Subcommittee noted the Council's Code of Conduct for Members and the recently revised Assessment Criteria agreed by the Standards Committee for Local Assessment cases.

75. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

Agenda Item No	Subject	Exempt Paragraph Number	Information
5	Case 3/2009 – Report of Investigation Officer	1	

6	Case 10/2009 – Report of Investigation Officer	1
7	Case 2/2010 – Report of Assessment Officer	1

76. LOCAL ASSESSMENT CASE 3/2009 - REPORT OF INVESTIGATIONS OFFICER

The Assessment Subcommittee were in receipt of the report to the Monitoring Officer into Case 3/2009. Ms C O'Boyle (Monitoring Officer) was present at the meeting to advise the Subcommittee as required on details of the Code of Conduct and procedure for dealing with Investigation Reports. Mr S Hill (Local Assessment Officer) was present at the meeting to record the decisions of the Subcommittee.

The Subcommittee had before them the report of the Investigation Officer and The Terms of Reference of the Subcommittee.

Resolved:

That the report of Investigations Officer into Local Assessment Case 3/2009 be referred for consideration at a hearing before the Hearings Sub-Committee of the Standards Committee.

77. LOCAL ASSESSMENT CASE 10/2009 - REPORT OF INVESTIGATIONS OFFICER

The Assessment Subcommittee were in receipt of the report to the Monitoring Officer into Case 10/2009. Ms C O'Boyle (Monitoring Officer) was present at the meeting to advise the Subcommittee as required on details of the Code of Conduct and procedure for dealing with Investigation Reports. Mr S Hill (Local Assessment Officer) was present at the meeting to record the decisions of the Subcommittee.

The Subcommittee had before them the report of the Investigation Officer and The Terms of Reference of the Subcommittee.

The Subcommittee concurred with the view of the Investigating Officer that no breach of the code had occurred.

Resolved:

That in accordance with Regulation 17(1)(a) of The Standards Committee (England) Regulations 2008, the Assessment Sub-committee of the Standards Committee, having considered complaint EFDC 10/2009 against their terms of reference, accepts the Investigation Officer's finding of no failure to observe the Code of Conduct.

78. LOCAL ASSESSMENT CASE 2/2010 - REPORT OF LOCAL ASSESSMENT OFFICER

The Subcommittee considered a complaint made against a Councillor. Miss C O'Boyle (Monitoring Officer) was present at the meeting to advise the Subcommittee as required on details of the Code of Conduct and Local Assessment Criteria relative to the complaint and the procedure to be followed in order to ensure proper consideration was given to the complaint. Mr S Hill (Local Assessment Officer) was present at the meeting to outline the complaint for the Subcommittee and to record the decisions of the Subcommittee in relation to the complaint.

The Subcommittee had before them the following documents which were taken into consideration:

- (1) Letter of complaint and enclosure letter submitted by the complainant received on 26 April 2010
- (2) Letter from S Hill to the complainant dated 26 April 2010
- (3) Response from Complainants dated 2 May 2010.

Resolved:

That in accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-committee of the Standards Committee, having considered the complaint against their criteria for assessment, has decided that no action should be taken on the allegation for the following reasons:

- (1) The Subcommittee were of the view that, taking into account the evidence from the complainant, the case was not serious enough to warrant further action and therefore an investigation would not serve a useful purpose; and
- (2) The Subcommittee noted that a complaint relating to planning matters was being dealt with by the Council under its complaints scheme.

CHAIRMAN