

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

- Committee:** Standards Committee **Date:** 13 July 2010
- Place:** Committee Room 1, Civic Offices, High Street, Epping **Time:** 7.30 - 8.30 pm
- Members Present:** Councillor Mrs A Grigg (EFDC Appointee), Councillor Mrs P Smith (EFDC Appointee), Councillor Mrs J H Whitehouse (EFDC Appointee), Councillor Mrs D Borton (Parish or Town Council Representative), G Weltch (Independent Member), M Wright (Independent Member) and J Guth (Independent Member)
- Other Councillors:**
- Apologies:** Councillors J Salter and B Surtees (Parish/Town Council Representatives)
- Also Present:** R Crone (Independent Member from 1 August 2010)
- Officers Present:** C O'Boyle (Monitoring Officer), I Willett (Deputy Monitoring Officer), G Lunnun (Allegations Determination Manager) and S G Hill (Local Assessments Manager)
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1. MEMBERSHIP OF THE COMMITTEE

The Monitoring Officer reported that the membership of the Committee for the municipal year 2010/11 was as follows:

- (a) District Council Members: Councillors Anne Grigg, Penny Smith and Janet Whitehouse;
- (b) Parish/Town Council Representatives (nominated by The Association of Local Councils (Epping Forest)): Councillors Daphne Borton, Jason Salter and Brian Surtees;
- (c) Independent Co-optees: Grenville Weltch (until 31 July 2010), Murray Wright (until May 2013 if not reappointed at that time), Jason Guth (until May 2013 if not reappointed at that time), Richard Crone (from 1 August 2010 until 31 July 2013 if not reappointed at that time).

2. ELECTION OF CHAIRMAN

The Committee considered the election of a Chairman for the coming year.

RESOLVED:

- (1) That the election of a Chairman of the Committee for the municipal year 2010/11 be deferred for consideration at the next meeting of the Committee; and

(2) That G Welch be elected Chairman of this meeting.

3. WELCOME AND INTRODUCTIONS

The Chairman welcomed new members and asked all members and officers to introduce themselves.

4. VICE-CHAIRMAN OF THE COMMITTEE

The Committee considered the appointment of a Vice-Chairman for the coming year.

RESOLVED:

That consideration of the appointment of a Vice-Chairman of the Committee for the municipal year 2010/11 be deferred for consideration at the next meeting.

5. MINUTES

RESOLVED:

That minutes of the meeting held on 13 April 2010 be taken as read and signed by the Chairman as a correct record.

6. MATTERS ARISING FROM THE MINUTES OF THE LAST MEETING

(a) Planning Protocol – Review (Minute 23(b))

The Deputy Monitoring Officer advised that he was still in the process of drafting a revised Planning Protocol and that it would be submitted to the next meeting of the Committee.

7. DECLARATIONS OF INTEREST

No declarations of interest were made pursuant to the Council's Code of Conduct for Members.

8. FUTURE OF STANDARDS FOR ENGLAND

The Monitoring Officer reported the receipt of a letter from Standards for England drawing attention to the Government's announcement that the proposed De-Centralisation and Localism Bill would include proposals to abolish the Standards Board regime.

The Monitoring Officer advised that there were currently no clear details of the scope or implications of the proposal and that until such time as the relevant legislation was passed the current statutory framework remained operative.

The Committee noted the invitation contained in the letter to express views about how future arrangements could work most effectively.

The Deputy Monitoring officer also drew attention to a recent request to the Council from Grant Shapps, M.P., Minister for Housing and Local Government seeking suggestions on how to reduce the burdens on local authorities. The Deputy Monitoring officer advised that in reply one of the suggestions had been a review of

the requirement to provide performance information in relation to the ethical framework.

RESOLVED:

(1) That the Deputy Monitoring Officer draft a response to the invitation from Standards for England incorporating the following views:

(a) whilst relaxation of the need for Standards Committees to provide performance information in relation to the ethical framework is welcomed it is considered that there will continue to be a need for a body to provide a central framework of advice in order to ensure consistency across the country;

(b) there will be a need to make alternative arrangements for cases which under the current regime can be referred to Standards for England;

(c) if it is proposed that there should be increased joint working between Standards Committees there should be a requirement to participate as currently approaches to other Monitoring Officers do not generally meet with a positive response;

(d) the future status of directions issued by Standards for England needs to be addressed;

(e) the legislation facilitating the abolition of Standards for England needs to incorporate a realistic timescale and the future of the ethical framework needs to be made clear;

(2) That the draft response be circulated to all members of the Committee for comment;

(3) That the Monitoring Officer and Deputy Monitoring Officer finalise the response in the light of comments received from Committee Members and send it to Standards for England;

(4) That a copy of a letter to Standards for England be sent to Grant Shapps, M.P., Minister for Housing and Local Government; and

(5) That further consideration be given to this issue when more details of the new arrangements are made available.

9. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS

The Committee received a schedule regarding current allegations made about the conduct of the District and Parish/Town Councillors.

Members noted that in relation to Case EFDC1/2010 the Monitoring Officer had engaged external solicitors to undertake the investigation and it was expected that their report would be received in late August.

The Committee was informed that since preparation of the agenda two further complaints had been received, one from a member of the public about a Parish Councillor and the other from a Town Councillor about another Town Councillor. Arrangements were being made for these cases to be considered by the Assessment Sub-Committee later in the month.

RESOLVED:

That future schedules specify whether the complaint is against a District Councillor or a Town/Parish Councillor.

10. DATES OF FUTURE MEETINGS

The Committee noted that the District Council's calendar for 2010/11 provided for meetings of the Committee on 12 October 2010, 18 January 2011 and 19 April 2011.

11. INDEPENDENT MEMBER - GRENVILLE WELTCH

The Monitoring Officer reported that this would be the last meeting attended by Grenville Weltch following his notice of resignation as an Independent Member of the Committee which would become effective on 31 July 2010.

The Monitoring Officer thanked Grenville for the work he had undertaken as a member of the Committee since 2001.

Grenville Weltch thanked members and officers for the help and support which he had received during his time as a member of the Committee.

12. EXCLUSION OF PUBLIC AND PRESS**RESOLVED:**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information.

<u>Agenda Item No.</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
12	Standards for England Direction	1

13. STANDARDS FOR ENGLAND DIRECTION

The Deputy Monitoring Officer advised of the background to the Direction and the progress being been in relation thereto.

The Committee noted that the cost of complying with the requirements of the Direction had to be met in full by the District Council as there was no power to seek a re-charge from the Parish Council which was the subject of the Direction.

The Monitoring Officer advised that whilst not contributing financially to the training etc the Parish Council would be a party to the two contracts and as such would be required to commit to the training.

RESOLVED:

(1) That further reports be submitted to the Committee on progress being made in relation to the Direction; and

(2) That on completion of the exercise details be provided to the Local Councils' Liaison Committee together including the cost of the training and that the cost be made public.

CHAIRMAN