

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the STANDARDS COMMITTEE held on 12 JUNE 2014

PRESENT:

Councillor J F Warder - Chairman

Councillors: Miss P A Appleby
Mrs L M Smith

Independent Persons: D Gleen
Mrs C Langley

APOLOGIES FOR ABSENCE were received from Councillors N L Brown, J S Ryman and R J Duffy

1 CHAIRMAN

RESOLVED –

That the appointment of Councillor J F Warder as Chairman of the Standards Committee for the remainder of the Municipal year, as noted at Annual Council on 13 May 2014, be agreed.

2 VICE-CHAIRMAN

The Committee decided that a permanent Vice-Chairman of the Committee was not required, and that one would be appointed for the duration of the meeting if the Chairman was unable to attend.

3 MINUTES

The Minutes of the meeting held on 27 February 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 ANNUAL COMPLAINTS MONITORING REPORT 2013/14

Members of the Standards Committee were informed that the historically low levels of complaints against Councillors had continued. There had been no formal complaints against District Councillors and only one against a Parish Councillor.

RESOLVED:

That the Annual Complaints Monitoring Report 2013/14 be noted.

6 SUBSCRIPTION TO STANDARDS EXCHANGE

Members of the Standards Committee were asked to consider whether the Council should renew its subscription to the Standards Exchange. It was noted that it was one of the only dedicated online services for Standards issues, and offered areas outlining good practice and training. The Council has used the online training facility for the Independent Persons. The Independent Persons stated that they had found the online training beneficial, and it was

RESOLVED:

That the Council should renew its subscription to Standards Exchange.

7 REVIEW OF CODE OF CONDUCT AND COMPLAINTS PROCEDURE

Members were asked to consider whether the Code of Conduct and Complaints Procedure adopted by the Council under the new standards framework introduced by the Localism Act 2011 remain fit for purpose. Guidance around dispensation regarding Council Tax had been issued since the procedure was adopted by the Council. Under the previous scheme, Council Tax was an exemption, and therefore no interests had to be declared. When the code was initially agreed, this exemption was not clear, and therefore it was advised that all Members should have a dispensation to be able to vote on the issue. Guidance that has since been issued states that Members do not need to have a dispensation in place when setting Council Tax.

The Complaints procedure adopted by the Council is the same as is in place at Aylesbury Vale District Council and South Bucks District Council, and involves a three stage approach. It was noted that the Council had not had to use the procedure to date. The Monitoring Officer stated that disclosure of complainants details to the Member complained about had been raised as an issue. It was suggested that the nature of the complaint be provided but not the complainant's details. Members felt that the procedure for handling complaints under the previous standards framework had been too secretive, and that it was reasonable for members to see the complaint in full. The procedure provided for details to be withheld where a complainant was in danger or evidence could be tampered with.. It was stressed that this power must be used sparingly.

It was suggested that guidance for Members who would be newly elected in May 2015 be produced, and it was asked that this be considered at the next Standards Committee meeting.

RESOLVED:

That the code of conduct and arrangement for dealing with complaints remained fit for purpose and that the Monitoring Officer prepare guidance for members on the Code of Conduct for consideration at the next meeting

8 HIGH SPEED 2 AND MEMBER DISPENSATIONS

At a previous meeting of the Standards Committee, Members asked for clarification on how dispensation would work for votes regarding HS2. If a Councillor or their spouse owned land that was directly affected by HS2 they would have to declare a Disclosable Pecuniary Interest, and would thereby be unable to take part in any discussion or vote. Members with a Disclosable Pecuniary Interest would be able to listen to an update report, and would be eligible to apply for a dispensation, which would allow them to take part in discussions and votes. It was noted that very few Councillors were directly affected by HS2, and the Monitoring Officer stated that she was happy to circulate information to these Members advising them that they could apply for a dispensation.

One Member stated that HS2 would affect the whole of the district, not just areas where the line passed through. It was noted that if an issue was one shared by the majority of the residents in a ward then the Councillor for that area would be able to speak and vote at a meeting. Traffic and noise related issues which affected a ward generally would not require an interest to be declared.

RESOLVED:

- 1. That the report be noted, and**
- 2. That the Committee agree that it is appropriate to grant dispensations individually when applied for**
- 3. That the Monitoring Officer remind members of the position regarding declarations of interest and dispensations.**

The meeting ended at 7.18 pm