

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Standards Committee**
held on Monday, 13th July, 2009 in the Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Mr Nigel Briers (Chairman)
Mr David Sayer (Vice-Chairman)

Councillors Rhoda Bailey, B H Dykes, J Goddard, M A Martin, M Parsons and
L Smetham
Independent Members: Mr M Garratt and Mr R Pomlett
Parish Council representatives: Mrs T Eatough and Mr K Edwards

IN ATTENDANCE:

Ms Anne Rehill	Standards Board for England
Ms Caroline Matthews	Standards Board for England
Ms Sarah Leigh	Standards Board for England

APOLOGIES:

Councillor J Hammond, M A Hollins and Mr I Clark (Independent representative) and Mrs P Barnett (Parish Council representative)

44 CHAIRMAN'S OPENING REMARKS

The Chairman welcomed to the meeting representatives from the Standards Board for England (Anne Rehill, Caroline Matthews and Sarah Leigh). They had been attending a number of Standards Committee meetings in the North-West in an effort to gain a deeper understanding of their operation.

45 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Hammond, Mrs P Barnett and Mr I Clark .

46 DECLARATIONS OF INTEREST

No Member made any declaration of interest in any item of business on the agenda.

47 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rules Nos. 11 and 35 a total period of 10 minutes was allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

There were no members of the public present and the Committee, therefore, proceeded to its next business.

48 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting held on 18th May be approved as a correct record.

49 MINUTES OF SUB-COMMITTEE MEETINGS

49.1 Minutes of Local Assessment Sub-Committee – 12th May 2009

RESOLVED

That the minutes of the meeting of the Local Assessment Sub-Committee meeting held on 12th May 2009 be approved as a correct record.

49.2 Minutes of Hearings Sub-Committee – 12th May 2009

RESOLVED

That the minutes of the meeting of the Hearings Sub-Committee held on 12th May 2009 be approved as a correct record, subject to the inclusion of the word “Hearings” in the heading.

49.3 Minutes of Hearings Sub-Committee – 17th June 2009

RESOLVED

That the minutes of the meeting of the Hearings Sub-Committee held on 17th June 2009 be approved as a correct record.

50 STANDARDS COMMITTEE DETERMINATIONS

Members of the Committee received for information the Standards Committee Guide on Determinations. This guidance would assist Members when they became involved in the determination of complaints.

During discussion, reference was made to a draft procedure which had been prepared, for operation at meetings of the Sub-Committees.

RESOLVED

That

Subject to the draft procedure being approved by the Monitoring Officer, a copy be issued to all Members of the Committee.

51 PUBLICITY WORKING GROUP

51.1 Draft Publicity Leaflet (Making a Complaint)

At the meeting held on 18th May 2009, it had been reported that the Publicity Working Group had developed a leaflet intended to explain, in a user-friendly manner, the role and work of the Standards Committee.

At that meeting, a draft document was considered and a number of suggested amendments were made. These had been incorporated into a revised document which was now submitted for approval, in principle. A number of editorial amendments were required and the Chief Officer of the Cheshire Association of Local Councils had also suggested an amendment, namely –

Third page of leaflet – heading “Code of conduct” –
first line to read “*The Councils have adopted a Code of Conduct.....*”

The document was intended for wide distribution; sufficient numbers would be issued to Town and Parish Councils to enable copies to be provided for each Town and Parish Councillor; it was expected that it would be included in the next edition of the Cheshire East newsletter which was distributed to each household in the borough; and copies would be provided for libraries and other appropriate deposit locations.

Mr Pomlett undertook to prepare a brief draft press release for issue to the Communications Team.

RESOLVED

That

- (1) The leaflet submitted be approved, subject to amendments discussed at the meeting, and any other minor amendments to be agreed between the Chairman and the Monitoring Officer;
- (2) In due course, the leaflet be issued to Town and Parish Clerks; and
- (3) The leaflet be issued early September 2009.

51.2 Guidance on Personal and Prejudicial Interests

A guidance note on declaration of personal and prejudicial interest had been prepared by the Publicity Working Group and submitted to The Standards Board for England for confirmation.

Neither the Standards Board nor the Monitoring Officer had had the opportunity to consider the document.

RESOLVED

That subject to comments to be made by the Monitoring Officer and Standards Board for England the guidance note be issued in September 2009.

51.3 Council's Website

It was noted that in due course, the following would be added to the Council's website on the Standards Committee page –

- Publicity leaflet on the work of the Committee (Minute No. 51.1);
- Guidance Note on Personal and Prejudicial Interests (Minute No. 51.2);
- Link to the Standards Board for England and the Adjudication Panel.

52 COMPLAINTS FORM

A draft Complaints Form was submitted for consideration and comment. The form was based on Guidance issued by the Standards Board for England.

One amendment was suggested, namely -

Page 2 – top of document – paragraph *"Please Note: This form is available on the Council's website, but cannot be accepted electronically. Please submit as hard copy to The Monitoring Officer, Westfields, Middlewich Road, Sandbach, CW11 1HZ"*: paragraph to be transferred to Paragraph 4 on page 3, entitled "Making your complaint".

RESOLVED

That subject to -

- (1) The suggested amendment being made; and
- (2) The agreement of the Monitoring Officer;

The draft Complaints Form be approved.

53 PILOT COMPACT

At its meeting held on 18th May 2009, the Committee agreed to support the Code of Conduct Pilot Compact for use within Cheshire East.

The Committee had resolved that the Monitoring Officer, together with the Chairman, Vice-Chairman and Mr K Edwards, meet with the Chief Officer of the Cheshire Association of Local Councils to discuss the project and the means by which it could be applied within Cheshire East.

The Vice-Chairman reported on the meeting which was held on 8th July 2009.

RESOLVED

That

- (1) The verbal report of the Vice-Chairman be received;
- (2) A Working Group be established, comprising the Chairman (Mr Nigel Briers), Vice-Chairman (Mr David Sayer), Mrs Teresa Eatough, Mr Ken Edwards and Councillor J Goddard, to develop the scheme;
- (3) The Terms of Reference for the Working Group be approved as follows –
 - (i) To give further consideration to the Pilot Compact and the draft 13-point agreement, and, if appropriate, make recommendations;
 - (ii) To liaise with, and seek further information and guidance from Cheshire Association of Local Councils in respect of service provision, training and costings.
 - (iii) To engage with Cheshire West and Chester Council with a view to defining issues of common interest and procedural benefit;
- (4) An interim written report be submitted to the Committee at its September meeting, with a final report being submitted no later than November 2009;
- (5) The first meeting of the Working Group be held on Tuesday, 4th August at 10.30 am in the Municipal Buildings, Crewe, subject to meeting room availability; and
- (6) In the meantime, the Monitoring Officer be asked consider the wider resource and budgetary implications of development of the Pilot Compact.

54 TERMS OF REFERENCE - ASSESSMENT SUB-COMMITTEE AND HEARINGS SUB-COMMITTEE

At its meeting held on 18th May 2009, the Committee received a verbal report from the Monitoring Officer in respect of practical difficulties encountered with the Terms of Reference for both the Assessment Sub-Committee and the Hearings Sub-Committee.

Members had agreed revisions to the Terms of Reference and had delegated authority to the Monitoring Officer to make any consequential amendments.

The Committee now considered the report of the Monitoring Officer which detailed the changes to the Terms of Reference for two of the standing Sub-Committees, namely (1) Assessment; and (2) Hearings. The Terms of Reference for the Review Sub-Committee remained unaltered.

RESOLVED

That the revised Terms of Reference for the Assessment Sub-Committee and the Hearings Sub-Committee be confirmed.

55 STANDARDS BOARD FOR ENGLAND - BULLETIN 44

The Committee received for information the Standards Board for England Bulletin No. 44.

Attention was drawn to the changes to the criteria for granting dispensations for Members to speak and vote when they had a personal and prejudicial interest.

56 TRAINING NEEDS FOR MEMBERS

The Committee was invited to consider future training needs for Members of the Committee and elected Members in general.

No current training needs were identified.

It was, however, reported that the Annual Assembly of Standards Committees was to be held in Birmingham on 12th and 13th October.

RESOLVED

That subject to budget availability, Mr David Sayer, Councillor Rhoda Bailey and Mrs Teresa Eatough attend the Standards Board Annual Assembly to be held at the International Convention Centre, Birmingham on 12th and 13th October 2009.

The meeting commenced at 10.30 am and concluded at 11.35 am

Nigel Briers (Chairman)