

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Standards Committee**
held on Monday, 21st September, 2009 in Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Mr N Briers (Chairman)

Councillors Rhoda Bailey, J Goddard, J Hammond, M A Hollins and
L Smetham

Independent Members: Mrs P Barnett and Mr I Clark
Parish Council representative: Mrs T Eatough

APOLOGIES

Councillors B H Dykes and M A Martin; and Mr D Sayer

57 DECLARATIONS OF INTEREST

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

58 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.

59 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting held on 13th July 2009 be approved as a correct record.

60 HANDLING OF REQUESTS FOR DISPENSATIONS

The Standards Committee considered the report of the Deputy Monitoring Officer which addressed the new regulations in respect of the granting of dispensations.

Part 4 of the Standards Committee (Further Provisions) (England) Order 2009 set out the provisions which now governed the handling of applications for dispensations under the Code of Conduct. Additionally,

S.54A(1) of the Local Government Act 2000 allowed this function to be dealt with by a Sub-Committee of the Standards Committee.

The Standards Committee (or its Sub-Committees) could grant dispensations if it was satisfied that where the transaction of business of an Authority would, but for the grant of any other dispensation in relation to that business, on each occasion on which the dispensation would apply otherwise be impeded by, or as a result of, the mandatory provisions because –

- (i) the number of Members of the Authority prohibited from voting on the business of the Authority at a meeting exceeds 50% of those Members that, but for the granting of any dispensations relating to that business, would otherwise be entitled to vote on that business; or
- (ii) the number of Members prohibited from voting on the business of the Authority at a meeting would, but for the granting of any dispensations relating to that business, upset the political balance of that meeting to such an extent as to prejudice the outcome of voting in that meeting.

The Guidance from Standards for England (formerly the Standards Board for England) acknowledged that Standards Committees could sub-delegate the function to its Sub-Committees.

The Committee was invited to consider whether requests for dispensations should continue to be dealt with by the full Standards Committee, or delegated to a Sub-Committee of the Standards Committee.

Members discussed the likelihood of requests for dispensations, and on balance, agreed that it would not be necessary to create a Sub-Committee for this purpose, nor add this function to one of the existing Sub-Committees. In the event of any urgency, a meeting of the full Standards Committee could be convened.

RESOLVED: That the function of granting dispensations continue to be dealt with by the full Standards Committee.

61 DISPENSATIONS - ROSTHERNE PARISH COUNCIL

The Committee considered the report of the Deputy Monitoring Officer. The report described and explained requests which had been made by each member of Rostherne Parish Council for a dispensation to enable them to participate in debate and vote upon any matters relating to the Tatton Estate which came before the Parish Council for consideration.

The applications explained that all members of the Parish Council were tenants of Tatton Estate which owned all property in the parish of

Rostherne, with the exception of the church, the vicarage and the Swan Hotel.

The Committee was invited to consider granting the dispensations requested.

RESOLVED: That the Standards Committee grant dispensations for all eight current Members of Rostherne Parish Council, namely Edward Blockley, Akhim Eugene Fahey, Dominic M Fenton, Joseph Gate, Thelma Horobin, Julie Owen, Frances M Woodbine and Edward Ernest Wakefield, whose applications were attached to the report submitted, to allow them to speak and vote on any business coming before Rostherne Parish Council concerning the Tatton Estate, such dispensations to last until the next elections which were due to take place on 5th May 2011.

62 PILOT COMPACT UPDATE

The Committee received for information the notes of the Working Group meetings held on 4th August and 27th August 2009 respectively, together with an Interim Progress Report on the Pilot Compact.

A meeting of the Pilot Compact Working Group would be held on the rising of this Committee. All Members were invited to attend.

In the absence of Mr David Sayer (Vice-Chairman) who chaired the Group, the Chairman reported verbally on its activities.

RESOLVED: That the verbal report of the Chairman be noted.

63 PUBLIC PERCEPTIONS OF ETHICS

The Committee received for information the report of the Monitoring Officer which outlined the results of the recent biennial survey conducted by the Standards Board for England into the public's perceptions of local councillors' ethical standards and their confidence in the redress mechanisms for dealing with shortcomings in individuals' behaviour.

The findings related to measures of perception taken in June 2009, and comparison had been made with data collected in 2005 and 2007.

RESOLVED: That the report be noted.

64 WEBSITE

The Committee received the report of the Monitoring Officer which outlined initial enquiries made in respect of the creation of a web-page on the Council's website for members of the public who wished to make a complaint against a Cheshire East councillor or a town or parish councillor.

It was noted that the web-site was to be re-branded on 1st October 2009, after which the following information would be up-loaded onto a separate dedicated page, entitled "Councillors' Conduct", or similar:

- Publicity leaflet designed by the Publicity Working Group
- Personal and Prejudicial Interests – guidance
- Complaints Form
- Names and contact details for Members of the Committee
- Links to Standards for England and other appropriate websites

RESOLVED:

That

- (a) That the report be noted; and
- (b) That an update be provided at the November meeting.

65 WORK PROGRAMME

The Committee received for information the Work Programme covering the period October 2008 to March 2010.

RESOLVED: That the Work Programme be noted.

66 TRAINING REQUIREMENTS FOR MEMBERS

The Committee was invited to consider training requirements for elected members and town and parish councillors. Revisions to the Code of Conduct were expected late Autumn 2009 and, in view of this, it was agreed that any training should be arranged in January/February 2010.

It was suggested that two sessions be held: (1) for members of the Standards Committee and elected Members; and (2) town and parish councillors.

RESOLVED: That appropriate training be arranged for elected members and town and parish councillors in January/February 2010, or following the Communities and Local Government's revision to the Code of Conduct, whichever was the later.

67 MEETING WITH CHESHIRE WEST AND CHESTER STANDARDS COMMITTEE

The Chairman updated the Committee on a meeting held recently between the Chairmen and Vice-Chairmen of Cheshire East and Cheshire West and Chester Standards Committees. The meeting had been of mutual benefit and they had agreed that they would meet approximately three times a year.

The Chairman outlined the areas of discussion raised at the meeting, which included a suggestion for an “away-day” type event to include members of both Standards Committees. This was intended to be a half-day event which could be facilitated by appropriate Cheshire East Officers, and would be held at a Borough Council venue.

RESOLVED:

That

- (a) An “Away-Day” type event be arranged for Friday, 11th December 2009 at 10.00 am in a Borough Council venue; and
- (b) That members from Cheshire West and Chester Standards Committee also be invited to the event.

The meeting commenced at 10.30 am and concluded at 11.30 am

Nigel Briers (Chairman)