

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Standards Committee**
held on Monday, 27th September, 2010 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Mr N Briers (Chairman)
Mr D Sayer (Vice-Chairman)

Councillors Rhoda Bailey, B H Dykes, J Goddard, J Hammond, M Hollins,
M A Martin, L Smetham, Barnett and Eatough

Independent Members:

Mr M Garrett
Mr R Pomlett

Parish Council representatives:

Mrs P Barnett
Mrs T Eatough

APOLOGIES

Councillor M Parsons, Mr I Clark, Mr K Edwards

IN ATTENDANCE

Chris Chapman	Monitoring Officer
Julie Openshaw	Deputy Monitoring Officer
Helen Gough	Customer Services Manager
Paul Jones	Democratic Services Team Manager
Carol Jones	Democratic Services Officer
Keith Sutton	ICT Security Project Manager
Roger Lewis	ICT Auditor

19 DECLARATIONS OF INTEREST

No declarations of interest were made.

20 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 its work, or to ask a question.

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

21 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting held on 26 July 2010 be approved as a correct record.

22 SUB-COMMITTEE TERMS OF REFERENCE

At the meeting held on 26 July 2010, the role of each of the Sub-Committees was discussed and clarification sought.

The report now submitted detailed the Terms of Reference for each of the Sub-Committees of the Standards Committee, namely Assessment Sub-Committee; Review Sub-Committee; and Hearings Sub-Committee, which was divided into the two role of (i) consideration; and (ii) hearings.

RESOLVED: That the Terms of Reference for the Sub-Committees of the Standards Committee be noted.

23 PLANNING PROTOCOL

Consideration was given to a report which proposed amendments to the Planning Protocol adopted by Council on 24 February 2009. The Committee was invited to review and comment on the document and to commend it to the Constitution Committee for approval.

A query was raised regarding consistency between paragraph 11.3 of the document and the Public Speaking Rights Protocol used at Strategic Planning Board and Planning Committees. Whilst paragraph 11.3 confirmed that Members with a personal and prejudicial interest in a planning application could only speak for the purpose of making representations, answering questions, or giving evidence relating to the matter, following which, they would be required to withdraw from the meeting room, (wording which had been taken from the National Code of Conduct for Members), the Public Speaking Protocol indicated that no questions should be asked of Council Member speakers.

RESOLVED:

That

1. the revised Planning Protocol be commended to the Constitution Committee for approval without amendment; and
2. a review of the Public Speaking Protocol be undertaken to ensure consistency.

24 PARTNERSHIP PROTOCOL

The Committee considered a report which updated Members on the work undertaken to develop a protocol for values and behaviours for use within partnerships.

At its meeting held on 23 November 2009, the Committee established a working group of Members and Officers to develop a local protocol for use across Cheshire East. The working group had met on several occasions to develop the protocol, which was subsequently submitted to the Local Strategic Partnership (LSP) Executive.

The LSP Executive had endorsed the principles and had incorporated the document into its recently published Partnership Agreement.

RESOLVED:

That

1. the action taken by the Local Strategic Partnership to integrate the Standards in Partnerships protocol into the LSP Partnership Agreement be endorsed;
2. the Head of the Partnerships Team be requested to produce an Annual Report for this Committee on the effectiveness of the Partnership Agreement;
3. the Monitoring Officer be requested to promote the agreement across Cheshire East for those Partnerships outside the Local Strategic Partnership Framework; and
4. the Constitution Committee be requested to consider incorporating the agreed Protocol into the Constitution as part of its on-going review.

25 ICT CODE OF PRACTICE FOR CHESHIRE EAST MEMBERS

The Head of ICT Security reported on the development of Cheshire East ICT Security Policies. A Code of Practice for Staff had been produced, to give specific examples and guidance to aid the interpretation of the detailed policies.

A Code of Practice for Members had also been produced, and the report submitted detailed that Code of Practice.

During discussion of the Code, Members commented that the second sentence under paragraph 3, "Guidance when using Council Equipment", sub-paragraph 3.1 "Use and Protection", second bullet-point (*"Receiving e-mail on a separate private e-mail account from a Member's group or party*

would not be regarded as improper.”), was unnecessary and should be removed.

RESOLVED:

That, subject to the amendment described above, the ICT Code of Practice for Members be adopted by the Standards Committee as a protocol.

**26 CUSTOMER COMPLAINTS AND LOCAL GOVERNMENT
OMBUDSMAN COMPLAINTS**

At its meeting held on 26 July 2010, the Committee considered a report which provided a summary of complaints dealt with by the Local Government Ombudsman in respect of Cheshire East Council for the period 1 April 2009 to 31 March 2010.

The Committee had requested a summary report on both Local Government Ombudsman complaints and customer complaints to be submitted to each meeting.

The report submitted provided a summary of the corporate complaints and the Local Government Ombudsman complaints for the period 1 April 2010 to 30 June 2010.

RESOLVED:

That the report be noted.

27 STANDARDS FOR ENGLAND - BULLETIN 48

Bulletin No. 48 (August 2010) issued by Standards for England, was submitted for information.

The Bulletin referred to the proposed abolition of the Standard Board Regime and the planned Decentralisation and Localism Bill which was due to be presented in late 2010; in view of this development, it was agreed that the informal “Issues and Improvements” Working Group meeting scheduled to be held on 2 November 2010, be postponed until early 2011.

28 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following item, pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7C of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 and the public interest would not be served in publishing this information.

29 COMPLAINTS RECEIVED UNDER THE CODE OF CONDUCT

The Committee received a report about complaints made against serving Cheshire East Councillors (Complaint Nos. CEC/10/05 and CEC/10/03).

Complaint No. CEC/10/03 had been considered by a Review Sub-Committee on 26 August 2010, at which time the Sub-Committee had resolved that the decision of the Assessment Sub-committee be upheld and no action be taken in respect of the allegation.

Complaint No. CEC/10/05 had been considered by an Assessment Sub-Committee on 26 August 2010, at which time the Sub-Committee had resolved to refer the complaint to the Monitoring Officer for action other than an investigation.

RESOLVED:

That the report be received and noted.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

Mr N Briers (Chairman)