

STANDARDS COMMITTEE

28 January 2013

Attendance:

Councillor Read (Chairman) (P)

Councillors:

E Berry

Chamberlain (P)

Clear (P)

Johnston (P)

Nelmes (P)

Phillips (P)

Parish Representatives (non voting co-optees) in attendance:

Ms J Bond and Mr M Evans

Independent Persons (non voting advisors) in attendance:

Mr B Bailey, Mr J Barnett, Ms R Blundell and Ms J Collins

1. **APOLOGIES**

Apologies for absence were received from Councillor E Berry.

2. **MINUTES**

With reference to the Minute 'Localism Act – New Code of Conduct' (Report ST93 refers), the Corporate Director (Governance) explained that the Council had adopted the new Code, as per the Recommended minute.

RESOLVED:

That the minutes of the previous meeting of the Committee held on 6 September 2012 be approved and adopted.

3. **DISPENSATIONS**
(Report ST95 refers)

In response to discussion, the Corporate Director (Governance) explained that those Members who were also Hampshire County Councillors should notify each meeting of their dispensation, when this was relevant to discussion. However, with regard to disclosable pecuniary interests related to Council Tax and Council House Tenancies, it was likely that the Corporate Director would provide appropriate words to the meeting, rather than significant numbers of Members individually having to notify the meeting of their dispensation.

The Corporate Director (Governance) also explained that, with regard to Members' appointments to outside 'not for profit' groups and dispensations that may be granted, there may be circumstances where those appointments were for observer status only. Therefore, in such instances, it was likely that those Members would not be disqualified from participating in the Council's budget discussion and would not need a dispensation.

RESOLVED:

1. That the Corporate Director (Governance) be authorised to extend the interim dispensations in relation to other public offices, given to the Councillors named in paragraph 2.4 of the report, until the expiry of their current period of office as a District Councillor

2. That the Corporate Director (Governance), in consultation with the Chairman, be authorised to grant dispensations in relation to disclosable pecuniary interests in respect of Council Tax setting and Council House tenancies.

3. That the Corporate Director (Governance), in consultation with the Chairman, be authorised to give dispensations to Members to speak and vote during the annual budget debate, either at Council or other meetings, in relation to personal and prejudicial interests affecting "not for profit" voluntary organisations and public bodies, provided that the dispensations would not extend to circumstances where the office on the outside body would give rise to a significant risk of a personal financial liability for the Member concerned.

4. That the Corporate Director (Governance), in consultation with the Chairman, be authorised to grant dispensations to deal with short term applications when:

- 1) the number of Councillors affected is so great a proportion of the Council that it would impede business.
- 2) it would upset the political balance of the Council to such an extent as to alter the likely outcome of the meeting

4. **FUTURE ROLE OF INDEPENDENT PERSONS AND PARISH REPRESENTATIVES**

(Report ST96 refers)

The Corporate Director (Governance) envisaged that the role of Independent Persons would be similar to Parish Representatives, as non-voting observers who could express views, provide advice and contribute to discussion.

In response to a question, the Corporate Director (Governance) also suggested that an Independent Person or Parish Representative might be able to mediate in instances of potential Parish Council disputes. However, an alternative was using the services of the Hampshire Association of Local

Councils (HALC) to undertake this function, and this approach had been taken with two parishes recently.

He undertook to check that information on the Council's website about the role of the Independent Persons was clear, particularly clarification that their role was to advise the Committee and any Councillor who was the subject of a complaint, rather than giving direct advice to complainants.

RESOLVED:

1. That with regard to the Independent Persons, the administrative arrangements surrounding their role be as set out in this report, as amended above and, once the term of office of Mr Barnett and Ms Collins expires (on 30 June 2013), no replacements for those two positions be sought for the time being but the position be reviewed later in 2013 in the light of experience.

2. That with regard to the Parish Representatives, all Parish Councils and the Winchester District Association of Parish Councils be invited to submit nominations for the three positions for the 2013/14 and 2014/15 Municipal Years and the appointments for the positions be considered by the Councillor members of the Standards Committee

5. **ADVICE TO PARISHES**
(Report ST97 refers)

The Corporate Director (Governance) advised that a large percentage of Parish Councillor Interest forms had now been received by the Council

RESOLVED:

That the updated guidance provided to Parish Councils be noted.

The meeting commenced at 6.15pm and concluded at 6.50pm.

Chairman