

STANDARDS COMMITTEE

24 October 2013

Attendance:

Councillor Read (Chairman) (P)

Councillors:

E Berry (P)
Chamberlain (P)
Clear (P)

Johnston (P)
Nelmes
Phillips (P)

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

Mr A Walmsley

Independent Persons (non voting advisors) in attendance:

Mr B Bailey
Mr J Pearson

1. **APOLOGIES**

Apologies for absence were received from Councillor Nelmes, Ms R Blundell (Independent Person) and Ms J Bond and Mr J Watson (Parish Representatives).

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 24 June 2013 (less exempt minute) be approved and adopted.

3. **PLANNING PROTOCOL - REVISION**

(Report ST102 refers)

The Committee considered a report from the Head of Legal Services, setting out a revised form of the Planning Protocol. The revisions took account of changes to standards introduced by the Localism Act 2011, together with the new Code of Conduct which the City Council had adopted as a consequence. It was noted that the Planning Development Control Committee had been consulted on the draft Protocol at their annual informal session to review working practices.

During discussion, the clarity of the wording of paragraphs 2.14 and 2.15 in the draft was queried. It was agreed that those paragraphs should be deleted and replaced with the following to make the position clear:-

2.14 If a personal interest in an item of business is also a prejudicial one, a Member may remain to ask questions or make representations (see paragraph 2.15 below) but in the planning context must then leave the room (unless a dispensation has been given) and not seek to improperly influence the decision.

2.15 Where a Member has a personal and prejudicial interest, the Code of Conduct allows a Member to remain to make representations or answer questions, but only where the committee procedures allow the public to do the same. After making such representations, the Member must withdraw from the meeting. However, this allowance does not apply where the interest is a Disclosable Pecuniary Interest (in which case the Member cannot remain in the room during any part of the item).

RECOMMENDED:

THAT, SUBJECT TO THE ABOVE AMENDMENT, THE REVISED PLANNING PROTOCOL BE APPROVED AND ADOPTED.

4. **OPENNESS AND TRANSPARENCY ON PERSONAL INTERESTS – A GUIDE FOR COUNCILLORS**
(Report S101 refers)

RESOLVED:

1. That the revised guidance and clarification of the Council Tax issue be welcomed and the existing dispensation given to all Members be cancelled.
2. That declaration of Trade Union membership on the Register of Interests form be not required, unless a Member is being sponsored, in which case it was already a Disclosable Pecuniary Interest.
3. That the above information be circulated to all Parish Councils.

5 **WHITELEY PARISH COUNCIL**
(Report ST100 refers)

RESOLVED:

That Whiteley Parish Council be informed as follows:-

1. The Committee notes the response from Whiteley Parish Council and is disappointed that the Council has simply restated its position and offered no suggestions regarding a positive way forward in this matter.

The decision of the Standards (Assessment) Sub Committee (5/3/13) reflected the position that the major elements of the information allegedly released by Councillor Achwal were already in the public domain and therefore her actions need to be considered in that context. To continue to prevent her from attending all but full Council meetings appears excessive and unreasonable, especially in the absence of any proposals from the Parish Council to settle the matter and return to normal working with all Members involved.

Therefore, the Committee urges the Parish Council to reconsider its stance in this matter and, as a possible way forward, to engage the services of an external mediator to meet all parties and hopefully facilitate a mutually acceptable resolution of this issue.

2. That the Committee's decision in 1. above be considered by the whole Parish Council in public session, with an opportunity for all Councillors to address the meeting.
3. That the Parish Council be requested to respond to this Committee regarding the above proposals.

6 **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following item of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
###	Exempt Minute -) Appointment of) Independent Person))	Information relating to any individual (Para 1 Schedule 12A refers)

7 MINUTES

RESOLVED:

That the exempt minute of the previous meeting of the Committee held on 24 June 2013 be approved and adopted.

The meeting commenced at 6.15pm and concluded at 7.30pm.

Chairman