

Cherwell District Council

Standards Committee

Minutes of a meeting of the Standards Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 March 2010 at 6.30 pm

Present: Jim McBeth (Vice-Chairman)

Councillor Timothy Hallchurch MBE
Councillor Eric Heath
Councillor George Parish
Councillor Bernard Lane
Kenneth Hawtin
Councillor Alan Greenslade-Hibbert

Substitute Members: Councillor David Carr
Councillor Russell Hurle (In place of Councillor Rose Stratford)

Apologies for absence: Dr Sadie Reynolds □ Councillor Fred Blackwell □ Councillor Ann Bonner □ Councillor James Macnamara □ Councillor Rose Stratford □ Councillor Douglas Williamson

Officers: Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
Alexa Coates, Senior Democratic and Scrutiny Officer

50 Declarations of Interest

Members declared interests with regard to the following agenda items:

10. Committee Membership

Councillor David Carr, Prejudicial, as the item was to consider his appointment to the committee as parish representative.

51 Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

52 Urgent Business

There was no urgent business.

53 Minutes

The minutes of the meeting held on 21 January 2010 were agreed as a correct record and signed by the Chairman.

54 **Minutes Standards Assessment Sub-Committee 25 February 2010**

The minutes of the meeting of the Assessment Sub Committee held on 25 February 2010 were noted.

55 **Update on Complaints**

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which updated members on complaints relating to alleged code of conduct complaints received since the last meeting.

Resolved

That the content of the report is noted.

56 **Update from Standards for England**

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which updated members on new information from Standards for England regarding the proposed revised code of conduct and local assessment framework.

The committee questioned the risk management framework proposed by Standards for England and expressed concerns relating to the impact of rating local authorities as amber or red due to circumstances out of their control. The committee felt that the categories of red, amber and green were not helpful to local authorities, as red or amber might imply to residents that an authority was performing badly, when in fact the categories related to risk as perceived by Standards for England.

The committee discussed the role of the committee and the operation of the code of conduct in light of the fact that the proposals for a revised code had been dropped. The committee discussed whether it would be appropriate to publicise complaints received as they were considered by the assessment subcommittee. It was generally thought that this would be inappropriate as some complaints were malicious and allegations could be unfounded. The committee felt it was correct to consider the publication of complaints on a case by case basis. The committee were advised that legislative requirements for the publication of decision notices were always met.

Resolved

That the content of the report is noted.

57 **Parish Council Visits**

The committee considered a report of the Chairman of the Standards Committee updating the committee on the proposed visits to parish councils

who had requested further guidance on the code of conduct and related issues.

The Vice Chairman advised the committee that the visits would mainly focus on providing guidance on declarations of interests. The Monitoring Officer distributed a guidance note to the committee for Weston on the Green parish council on the complaint assessment process and declaring interests at meetings. The committee requested that the note be distributed to all parish councils.

Resolved

- 1) That the content of the report is noted.
- 2) That the parish visits proposal is noted.

58

Committee Membership

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which concerned committee membership.

The committee were informed that Douglas Frewer had resigned from the committee as independent member with immediate effect. Mr Frewer had recently moved out of the area and felt the journey to committee meetings was too great. Cllr Bernard Lane had also relinquished his position as parish representative as he would be standing down at the next parish council election.

The committee considered the recruitment of a new independent member and the appointment of a parish representative. Members of the committee requested that Officers prepare a press release to promote the role of the independent member to go alongside the advert.

Resolved

- (1) That it is recommended to Council that Cllr David Carr is appointed as Parish Representative to take effect following the parish elections in 2010.
- (2) That Officers make arrangements to recruit a further substitute parish representative following the parish elections in 2010 with the final appointment to be agreed by the committee.
- (3) That the role description, person specification and advert for the new independent member is approved
- (4) That the advert is published in the Banbury Guardian, Bicester Advertiser, Oxford Times and on the Council website and that Officers prepare a press release along with the advert.
- (5) That the Committee thank Mr Frewer and Cllr Lane for all their hard work whilst on the committee.

Councillor David Carr left the meeting room whilst the committee considered the appointment of the Parish Representative.

At the end of the item the Vice-Chairman congratulated Councillor Carr on his appointment to the Committee, subject to the agreement of Council.

The Vice Chairman thanked Mr Frewer and Councillor Lane for their contribution to the committee and also Councillor Eric Heath who would be stepping down as a District Councillor at the election in May.

59

Draft Annual Return 2010

The committee considered a report of the Head of Legal and Democratic Services/Monitoring Officer which sought approval of the draft responses to the Standards for England Annual Return 2010. The Monitoring Officer informed the committee of some additions suggested by Councillor Macnamara who was not able to attend the meeting.

The committee discussed question 36 which related to training for parish councillors and were advised that it was very difficult to give an accurate reflection of attendance by parish councillors at training events.

Resolved

That the draft Annual Return responses be approved subject to the following amendments:

- 1) Question 4 – Information on how to make a complaint against a member provided directly by elected Councillors
- 2) Question 13 – Leading by example e.g the number of declarations of interests made by Councillors at meetings.
- 3) Question 19 – Attendance at the Standards for England Conference, the inaugural meeting of the Independent Chairman and Vice Chairman Oxfordshire Forum.

The meeting ended at 7.30 pm

Chairman:

Date: