

**MINUTES OF THE MEETING OF THE
CORPORATE PERFORMANCE AND RESOURCES
SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 20 NOVEMBER 2014**

Panel Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry (Vice Chairman)	*	Cllr J D Hawkins
*	Cllr J H Baverstock	*	Cllr P W Hitchins
*	Cllr I Bramble	*	Cllr J W Squire
*	Cllr C G Bruce-Spencer	*	Cllr J A Westacott MBE
*	Cllr R J Foss (Chairman)		

Members in attendance and participating
Cllrs A D Barber, B C Carson, T R Holway, J T Pennington and M F Saltern

Members also in attendance and not participating
Cllrs H D Bastone, M J Hicks, R J Tucker, L A H Ward and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Executive Director (TW), Monitoring Officer and Member Services Manager

CP&R.22/14 MINUTES

The minutes of the meeting of the Corporate Performance and Resources Scrutiny Panel held on 2 October 2014 were confirmed as a correct record and signed by the Chairman.

CP&R.23/14 URGENT BUSINESS

The Vice Chairman raised a concern that the Performance Indicator report for Q2 had not been available for the meeting and had been deferred to the next meeting in February 2015. A number of Members agreed that this was too long a gap between the end of the quarter which therefore made any scrutiny of these indicators meaningless. The Member Services Manager advised that there had been a misunderstanding over the scheduled meeting dates.

The Executive Director (TW) confirmed that the Q2 and Q3 Performance Indicators would be reported to the next meeting in February 2015.

CP&R.24/14 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

CP&R.25/14 PUBLIC FORUM

No items were raised.

CP&R.26/14 EXECUTIVE FORWARD PLAN

There were no issues raised on the Executive Forward Plan.

CP&R.27/14 REQUEST TO GRANT A GENERAL DISPENSATION

The Monitoring Officer introduced a report that recommended a General Dispensation be granted to dual hatted Members in receipt of an allowance from another local authority. She outlined the background to the report and how the dispensation would cover all Members across three tiers of local government. The timescale had been set to fall in line with other dispensations that were already in place.

A number of Members raised concerns over dual hatted Members taking part in discussions on matters where the district council may be negotiating with the county council. In making this point, it was felt that there must be occasions when loyalties would be torn and some Members questioned whether Members should in fact be part of more than one decision making body.

One Member stated that the dispensation should also apply to outside bodies. Some Members agreed as currently a Member who was nominated by the Council to be a representative on an Outside Body and received remuneration was not able to fulfil the role by updating the wider Council membership and taking part in appropriate discussions. Other Members disagreed and stated that any Member could apply to the Monitoring Officer for a dispensation if it was required.

Following further discussion, it was agreed that the issue related to local authorities and the Monitoring Officer would present a report to the next meeting of the Corporate Performance and Resources Scrutiny Panel that would recommend guidance in respect of Members serving on Outside Bodies.

It was then:

RESOLVED

1. That a General Dispensation be granted to all dual hatted Members of South Hams District Council to speak and vote on matters where they were a Member of another local authority and in receipt of a Members' Allowance, until May 2015; and
2. That the Monitoring Officer produce a report for consideration at the next Panel meeting in respect of serving on Outside Bodies.

CP&R.28/14 **DECISION NOTICE ARISING FROM SCRUTINY CODE OF CONDUCT HEARING PANEL**

[Cllr Carson left the room before the start of this item]

The Panel had received the Decision Notice from the recent Code of Conduct Hearing. Whilst the decision was not for discussion, Members could comment on the process.

The Chairman of the Code of Conduct Panel explained the process to Members. He also stated that it was important to ensure that the Code of Conduct Hearing took place as near to a Scrutiny Panel meeting as possible to ensure issues were dealt with in a timely manner.

One Member felt that the wording of one particular section of the Notice should be amended as there could be a perception that the Councillor could be influencing the process. Alternative wording for this section was suggested.

There was a further suggestion that paper hearings should not take place and all matters should be referred to a full hearing. The Chairman stated that the process was new and the Council was learning. The Monitoring Officer concluded that the policy could be reviewed at any time.

It was then:

RESOLVED

That the Decision Notice be noted.

CP&R.29/14 **FUTURE AGENDA ITEMS**

It was confirmed that the Performance Indicators report for both Q2 and Q3 would be presented to the next meeting of the Panel, along with a report from the Monitoring Officer on Member dispensations in relation to Outside Bodies.

(Meeting started at 10.00 am and concluded at 11.00 am).

Chairman