

At a Meeting of the **STANDARDS COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 4th day of **SEPTEMBER 2012** at **10.00 am**.

Present:

Cllr J R McInnes – Chairman	
Cllr M V L Ewings – Vice-Chairman	
Cllr R E Baldwin	Cllr K A Clish-Green
Cllr D M Horn	Cllr A F Leech
Cllr J B Moody	Cllr D E Moyse
Cllr L B Rose	

Borough Solicitor & Monitoring Officer
Committee & Ombudsman Link Officer

In attendance:

Cllr J Sheldon
Mrs V Spence – Independent Person – WDBC
Mr R Allison – Independent Person – SHDC
Mr M Winston – Independent Person – SHDC

***SC 7 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 12th June 2012, were confirmed and signed by the Chairman as a correct record.

***SC 8 THE NEW STANDARDS REGIME**

The Monitoring Officer reported that the New Standards Regime had come into effect on 1st July 2012, on the demise of the Standards Board for England. From 1st July 2012, each local authority became responsible for developing its own standards arrangements including the adoption of a code, a scheme for dealing with complaints, the imposition of actions to address breaches of the code and the appointment of Independent Persons.

The Devon local authorities had developed a core Standards Code which each local authority could use as a basis to develop a code tailored for each authority's needs.

The Borough Council had adopted its New Code on 26th June 2012, and in so doing, agreed what should be included in the Members' Registers, agreed the Governance arrangements for the new Standards Committee, decided that hearings be dealt with by Standards Sub-Committees, appointed the former Independent member to become the Independent Person, noting also the need to appoint a second Independent Person and adopted an overarching framework for dealing with complaints.

The Monitoring Officer strongly emphasised that Members should not pre-determine their decisions prior to a meeting of the Council or of its Committees and Sub-Committees and should attend with an 'open mind'.

Arising from the discussion, it was agreed that the Committee would receive quarterly/six monthly reports on complaints and that the Monitoring Officer would look to offer guidance to the Planning &

Licensing Committee on what should be recorded as declarations of interest at meetings of that Committee.

Further, the Committee requested the Monitoring Officer to investigate the possibility of a new name for the Committee and to report back to the next meeting.

SC 9

GENERAL DISPENSATIONS AND AMENDMENT TO DELEGATION OF POWERS TO GRANT DISPENSATIONS

The Monitoring Officer presented a report (page 4 to the Agenda) recommending that a General Dispensation be granted to all Members of the Council on matters that may affect so many Councillors that the Council or one of its Committees could become in-quorate and that the scheme for delegation of powers be so amended.

In order to protect Members it was recommended that a General Dispensation be granted on the grounds that it would be in the public interest to enable all Members to speak and to vote where they would otherwise have a Disclosable Pecuniary Interest. Additionally, Council had granted the Monitoring Officer delegated authority to grant dispensations where so many members of the Council have a Disclosable Pecuniary Interest that it would impeded the transaction of the business of the Council (i.e. the meeting would be in-quorate). However, there would be circumstances where an urgent decision would need to be made between Standards Committee meetings. In such circumstances, therefore, it was being proposed that delegated powers be given to a sub-committee of the Standards Committee, or the Monitoring Officer in consultation with the Chairman and Vice Chairman of the Standards Committee to consider such requests for dispensations, with a report being made to the next ordinary meeting of the Standards Committee.

*It was **RESOLVED** that a General Dispensation be granted to all current Members of West Devon Borough Council to speak and to vote on all matters set out in paragraph 2.2 of the Monitoring Officer's report (page 5 to the Agenda) for the remaining life of the current Council from the date of this decision.

It was **FURTHER RESOLVED** to **RECOMMEND** that the delegation of powers to grant dispensations be amended to enable a Standards Sub-Committee or the Monitoring Officer, in consultation with the Chairman and Vice-Chairman of the Standards Committee, to grant dispensations when it would not be expedient to wait until the next scheduled meeting of the Standards Committee.

***SC 10**

PROCEDURES

Prior to the Meeting, the Monitoring Officer had circulated to all Members of the Committee via e-mail a draft paper entitled "Dealing with Standards Complaints". The paper set out the procedure for dealing with complaints which fell within the remit of the Standards Committee. The paper offered guidance, was not prescriptive and provided a first base for investigating and adjudicating on complaints.

It was **RESOLVED** that the paper be approved and adopted as presented and that it be reviewed in 12 months time in the light of experience.

***SC 11**

APPOINTMENT OF SUB-COMMITTEE

It was **RESOLVED** that three Sub-Committees of the Standards Committee be formed to investigate complaints and undertake hearings; each comprising of three Members and using dates in the Council's calendar set aside for Special Meetings.

(The Meeting terminated at 12.05 pm.)