

# EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Standards Committee held at Knowle, Sidmouth on Tuesday, 25 July 2017

## Attendance list at the end of the document

The meeting started at 10.00am and ended at 11.16am

- \*1 Public speaking  
There were no questions asked.
- \*2 Minutes  
The minutes of the meeting of the Standards Committee held on 27 October 2016, were confirmed and signed as a true record.
- \*3 Declarations of interest  
There were none.
- \*4 Annual Report  
Members considered the review of the 2016/17 year in the life of the Standards Committee and outlined the work done.  
Henry Gordon Lennox referred the Committee to issues in paragraph 4 of the report in relation to the treatment of Code complaints, non-code complaints and those termed as 'others'.  
Discussion included the following points:
- That the benefits of streamlining the process and reducing the administrative cost of dealing with different types of complaints had been considered in relation to transparency
  - That numbers of complaints each year were always recorded
  - That a list of non-Code complaints could be retained throughout the year for the re-assurance of the public
  - That all complainants received a response and achieved an outcome
  - That all Code complaints are dealt with according to agreed policy

Henry Gorgon Lennox referred to the Judicial Review relating to matters at Honiton Town Council which had received a lot of press coverage, and the finding of the Judge that EDDC had acted positively in dealing with relevant issues.

The Chairman thanked the Monitoring Officer for his report.

### **RESOLVED:**

1. that the review of the 2016/17 year be noted.
2. that a record of non-Code complaints be retained throughout the year

- \*5 Assessment of the new speaking arrangements at Development Management Committee  
The Committee considered the report of the Monitoring Officer, which reviewed the public speaking arrangements introduced to Development Management Committee in October 2014.

Henry Gordon Lennox confirmed that the adoption of the Local Plan had not had a significant impact on the length of Development Management Committee meetings or the waiting time experienced by representatives wishing to speak on an item. On average, each application took approximately 24-25 minutes to process. If circumstances changed in future it was within the remit of the Committee to review the arrangements.

The Chairman thanked the Monitoring Officer for his report.

**RESOLVED:** that the public speaking arrangements become permanent

\*6 Code Complaints update

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on new Code related cases received since 1 May 2017.

Discussion included the following points:

- There had been an increase in complaints largely due to ongoing issues at Honiton Town Council
- That EDDC would continue to work with the Town Council and encourage them to record meetings
- That EDDC does have a policy for the handling of Vexatious Complaints which will be reviewed at a future date

**RESOLVED:** that the report be noted;

\*14 Forward Plan

Committee members were asked to advise of any items for the Forward Plan.

Discussion included the following points:

- Whether the EDDC policy on the interests of Councillors is sufficiently robust to deal with matters such as, but not exclusively local planning applications, compared to other local authorities.
- That one of the aims of the Localism Act 2011 was to facilitate speedier decision making at local level.
- That re-introducing a Personal or Prejudicial Interest would also re-introduce greater complexity into the process of Committee business.
- That the key issue was in relation to whether there was bias or predetermination to specific outcomes, and whether Councillors were following the Code of Conduct by declaring their interests sufficiently clearly.
- That from a public perspective, any decisions could be challenged in court for bias and predetermination and possible breach of the Code of Conduct.
- That whilst officers could provide advice, it is the responsibility of Councillors to adhere to the Code and regularly update their Register of Interest forms.

**RESOLVED:** that the following report from Henry Gordon Lennox, Monitoring Officer and Strategic Lead - Legal, Licensing & Democratic Services would be included for consideration at the next meeting covering the following issues:

- Whether Personal and/or Prejudicial Interests should be re-introduced into the Code of Conduct at EDDC as well as Disclosable Pecuniary Interests
- Whether mandatory training should be introduced on the Code of Conduct for Councillors which would require a change in the Constitution
- Whether Register of Interest forms should be amended to specifically include the extent of land ownership such that it meets the requirement of being easily identifiable

**Attendance list**

**Present:**

Councillors:

Andrew Moulding (Chairman)

Graham Godbeer

Stuart Hughes

Douglas Hull

**Co-opted non-voting members:**

Martin Goscomb, Co-opted Independent member

Jessica Bailey, Co-opted Independent member

Tim Swarbrick, Co-opted Independent member

Frances Newth, Co-opted Parish/Town Council member

**Also present:**

Alison Willan, Independent Person

**Councillors:**

Susie Bond – substitute Committee member

Steve Gazzard

**Officers:**

Henry Gordon Lennox, Monitoring Officer and Strategic Lead - Legal, Licensing & Democratic Services

Sue Howl, Democratic Services Manager

**Apologies:**

Alan Dent – substitute Committee member

Dawn Manley

Chairman ..... Date .....