

# EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Standards Committee held at Knowle, Sidmouth on Tuesday, 17 October 2017

## **Attendance list at the end of the document**

The meeting started at 10.00am and ended at 11.20am

- \*8 Public speaking  
There were no questions asked.
- \*9 Minutes  
The minutes of the meeting of the Standards Committee held on 25 July 2017, were confirmed and signed as a true record.
- \*10 Declarations of interest  
There were none.
- \*11 Councillor Interests and Code of Conduct training  
The Committee considered the report of the Monitoring Officer, which considered the nature of interests that Councillors were required to declare, the extent to which land ownership should be identified when Register of Interests forms were completed and whether there should be a mandatory requirement for Members to receive Code of Conduct training.

Discussion included the following points:

- Declaration of a prejudicial interest could be seen as protecting the Council and its reputation;
- Need to strike a balance between the need to declare an interest and the democratic process;
- Bias and predetermination were a separate matter from declarations of interest and difficult to prove;
- Trust was a big part of the Councillor role and the ballot box was the ultimate sanction for Councillors;
- The recommendation presented to the Committee got the balance right between allowing members to take decisions and not introducing additional bureaucracy;
- Possibility of adding on the Declaration of Interest item on the front page of agendas the following wording: (please note it is criminal offence not to declare a personal or prejudicial interest);
- Guidance within South Somerset District Council's code of conduct regarding bias and predetermination should be included for guidance in EDDC's Member code of conduct;
- Need to improve the Declarations of Interest link on the front page of agendas to include more relevant information;
- Councillors needed to be honest and reasonable when declaring an interest;
- Councillors should be subject to the requirement that they could not sit on committees if they did not attend mandatory training on the Code of Conduct after the elections in May 2019;
- Notify town/parish councils that changes are going to be made to Code of conduct and it's their responsibility if they wished to adopt them;

- Ensure that declarations of interest were clear as to the reason why a declaration was made;
- A map was not necessary in terms of the Register of Interests but there was the need to make sure that a Councillors land interests could be clearly identified;
- The Monitoring Officer acknowledged the need to be rigorous in identifying where Register of Interests had not been correctly completed by councillors.

The Chairman thanked the Monitoring Officer for his report.

**RESOLVED:**

that the Standards Committee:

1. Agrees that there should be no change to the nature of interests that should be disclosed and noted that the scope of personal interests will be revised to be clearer as detailed in the report and also that guidance similar to that of South Somerset District Council's Code of Conduct on bias and predetermination should be added to EDDC's Member's Code of Conduct. Additionally, on the front page of agendas the Declaration of Interest item shall be revised to ensure improved guidance on the declaration of interests and participation at meetings.
2. Agrees that it is not necessary to require a map to identify a Councillor's property interests, but that the Register of Interests form be revised to advise Councillors that a map could be provided if it would be helpful in clearly identifying the location of land interests.
3. Councillors should be required to have mandatory training on the Code of Conduct and that this be introduced as a requirement for after the district council elections in May 2019; and there be a requirement for Councillors to be precluded from sitting on Committees where they have not attended the mandatory training. It was agreed that be two or more training sessions should be arranged.
4. Agree that any of the above changes which require amendment to the Constitution will be incorporated into the Monitoring Officer's changes to be presented to Annual Council for approval in May.

**\*12 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:

- The Monitoring Officer would provide more information on Code of Conduct complaints for the report for the next meeting.

- Dealing with the Code of Conduct complaints could be quite a drawn out process.
- A sanction available against Councillors if found to be in breach of the code of conduct was to remove a Councillor's Committee membership.

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

**\*13 Forward Plan**

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

Discussion included the following points:

- A report be prepared on Councillors, Gifts and Hospitality to be discussed at a future meeting, including benchmarking against other authorities' schemes.
- Whether employees were subject to appropriate declarations, in relation to which the Monitoring Officer advised that there was a recent requirement for all staff to fill in a Register of Interests form and all new starters had to fill out a form upon joining. Annual reminders were sent regarding updating forms and there was a forthcoming amendment to the Employee Code of Conduct in respect of acting in accordance with the Nolan Principles and strengthening the section dealing with declarations of gifts and hospitality.

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

- The Councillors, Gifts and Hospitality Scheme, including benchmarking against other authorities schemes.

**Attendance list**

**Present:**

Councillors:

Andrew Moulding (Chairman)

Graham Godbeer

Douglas Hull

Dawn Manley

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

Martin Goscomb, Co-opted Independent member

Jessica Bailey, Co-opted Parish/Town Council 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

Roger Giles

Geoff Jung

**Officers:**

Henry Gordon Lennox, Monitoring Officer and Strategic Lead – Governance & Licensing  
Chris Lane, Democratic Services Officer

**Apologies:**

Alan Dent – substitute Committee member  
Stuart Hughes

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