

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Standards Committee held at Blackdown House, Honiton on 21 January 2020

Attendance list at end of document

The meeting started at 10.00 am and ended at 11.35 am

9 Public speaking

The Chairman advised that this was Mr Tim Swarbrick's last meeting and thanked Mr Swarbrick for his eight years of service which had greatly assisted the Standards Committee.

There were no questions asked.

10 Minutes of the previous meeting

The Monitoring Officer advised that the attendance list in the minutes of the meeting held on 13 August 2019 would be corrected to include the 4 co-optees and to record Alison Willan's attendance under the appropriate heading.

Regarding item 6 of the minutes of 13 August 2019, it was noted that Cabinet did not wish to reconsider its previous recommendation for district councillors to only have voluntary DBS checks.

Regarding item 7 of the minutes of 13 August 2019, there was discussion as to whether the minutes accurately recorded the decision taken by the Committee on the process of recruiting co-optee members. Members expressed concern that, as recorded in the minutes, the process may result in the recruitment panel not being politically balanced.

The Monitoring Officer advised that the agenda item was to consider the accuracy of the minutes as a true record of decisions taken at the meeting. Concern was raised that it would be unwise to ignore the advice of independent co-optees and to preclude them from the recruitment process.

Following discussion, it was agreed that the Monitoring Officer would circulate details of the recruitment process, as set out in the minutes of 13 August 2019, and that this process would be followed to recruit a co-optee to replace Mr Swarbrick. The process would then be reviewed and amended if considered necessary.

Subject to the amendments to the attendance list and the correction of the minimum number of Standards Committee members on the recruitment panel to read 3, the minutes of the meeting held on 13 August 2019 were confirmed and signed as a true record.

11 Declarations of interest

Minutes of the previous meeting.

Councillor Phil Twiss, Personal, DCC Councillor who sits on their Standards Committee.

12 Matters of urgency

There were none.

13 **Confidential/exempt item(s)**

There were no items which officers recommended should be dealt with in this way.

14 **Code complaint update**

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on Code related cases received from 1 May 2019 to 13 January 2020.

RESOLVED that the report be noted.

15 **Gifts and Hospitality Register Annual Report**

It was noted that this was a new report to ensure that the Standards Committee are aware of gifts and hospitality being received by members and officers. The Monitoring Officer advised that the guidance note on updating gifts and hospitality through Modern.Gov had now been uploaded to the member library.

The Committee discussed whether the limit of £25 should be reviewed and whether an upper limit for gifts and hospitality would be appropriate.

The Monitoring Officer advised that the limit of £25 had been reviewed in January 2018 and found to be reasonable. It was noted that members may also declare gifts and hospitality below the £25 threshold if they considered it appropriate to do so in the interests of transparency. It was a matter for members themselves to decide whether or not to accept gifts and hospitality and if accepted, to ensure that these were registered. Under the Code of Conduct any relevant interests should also be declared at meetings when gifts and hospitality had been accepted.

In response to a question, the Monitoring Officer advised that failure to disclose gifts and hospitality would be dealt with under the Code of Conduct for members and as a disciplinary matter for officers. It was emphasised that the context and nature of a gift or hospitality, rather than just the monetary value, was vital when members or officers were considering whether to accept or not.

It was agreed that the Monitoring Officer would remind members of the requirement to register gifts and hospitality as part of the annual reminder of members' responsibilities.

RESOLVED that the content of the report and the gifts and hospitality received by members and officers during 2019 be noted.

16 **Members Declaration of interest Audit Report**

The report advised the Standards Committee of the outcome of a recent audit into member declarations of interest following the May 2019 election and introduction of Modern.Gov. The Committee was concerned to note that 56% of members did not complete their register of interests within the 28 day legal requirement. The Monitoring Officer advised that it was a potential criminal offence not to declare pecuniary interests within 28 days.

Following the election, members had been made aware of the 28 day requirement during mandatory Code of Conduct training and by way of follow-up emails from the Monitoring Officer.

Members would be advised of the need to check their Register of Interests on an annual basis and of the on-going requirement to register any changes within 28 days of the change occurring.

Further discussions included the following:

- The caveat for ward members to state that they are keeping an open mind is specifically pertinent for members of the Development Management Committee who need to protect their future decision making
- Regarding Part B items, it was noted that all members have access to Part B reports which should remain confidential within the Council at all times and should not be discussed publicly

..... Clarity regarding the role of substitute members of the Committee

RECOMMENDATION to the Council that the findings of the Audit Report be noted, highlighting the fact that 56% of members did not complete their declarations of interest within the required 28 days following the election, with the potential consequence of committing a criminal offence. All members would be provided with a copy of the Declaration of Interest Audit Report and reminded of the importance of updating their Register of Interests within 28 days of any changes.

17 **Forward Plan**

Carried forward from the previous meeting:

- Experiences of Standards training from town / parish councils

Members wished to add the following items to the Forward Plan for consideration at a future meeting:

- Report on the Committee on Standards in Public Life report on ethical standards (January 2019)
- Report on having electronic voting at Development Management Committee

Attendance List

Councillors present:

S Hughes (Chairman)

J Bailey

D Manley

K McLauchlan

P Twiss

Others present:

Martin Goscomb, co-opted independent member

Cllr Pauline Stott, co-opted town/parish council member

Tim Swarbrick, co-opted independent member

Councillors also present (for some or all the meeting)

M Armstrong

S Bond

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing

Sarah Jenkins, Democratic Services Officer (minutes)

Christopher Lane, Democratic Services Officer

Apologies:

Cllr Bob Nelson, co-opted town/parish council member

Alison Willan, independent person

Chairman

Date: