

# Public Document Pack

(Standards Committee - 2 February 2023)

## STANDARDS COMMITTEE

Minutes of a Meeting of the Standards Committee held in the Luttrell Room - County Hall, Taunton, on Thursday 2 February 2023 at 10.00 am

**Present:** Cllr H Davies, Alan Hemsley, Cllr E Pearlstone, Cllr B Smedley and David Stripp

**Other Members present on Microsoft Teams:** Cllr John Bailey, Cllr M Dimery, Paul Hooper, Robin Horton and Cllr L Redman

**Apologies for absence:** Cllr N Cavill

26 **Appointment of Chair for this meeting** - Agenda Item 1

**Resolved** that Councillor Brian Smedley be appointed as Chair for the meeting.

27 **Apologies for Absence** - Agenda Item 2

Apologies were received from Councillors Norman Cavill and John Bailey, who was substituted by Councillor Emily Pearlstone.

The following members joined the meeting via Microsoft Teams:-  
Councillors John Bailey and Martin Dimery and co-opted members Paul Hooper and Robin Horton.

28 **Minutes of the Previous Meeting of the Standards Committee held on 8 December 2022** - Agenda Item 3

**Resolved** that the Minutes of the meeting held on 8 December 2022 were approved and signed as a correct record.

29 **Declarations of Interest** - Agenda Item 4

No further declarations were made at the meeting.

30 **Public Question Time** - Agenda Item 5

No members of the public had registered to speak.

31 **Proposed dispensation to all members to enable them to participate and vote in Council budget meeting** - Agenda Item 6

During the discussion, the following points were raised:-

- Members queried whether the report only covered the 2023-24 municipal year.  
*The Monitoring Officer advised that it was for the budget meeting of Full Council being held in February 2023, as the Monitoring Officer for the New Council would be delegated the power going forward.*
- Members queried whether a councillor would need to declare that they were a tenant at that meeting of Full Council.

*The Monitoring Officer advised that they would need to declare if they were a tenant, however, as most councillors were council tax payers, that had been incorporated within the report.*

**Resolved** that the Standards Committee agreed:-

- 2.1 That all Councillors were granted a dispensation to enable them to participate in any discussions and to participate in the vote in all council meetings where they had a disclosable pecuniary interest where members were considering and agreeing the setting of the Council's Annual Budget, Council Tax, precepts, Housing Revenue Account budget and business plan related decisions and the Members Allowances Scheme.
- 2.2 That the Committee delegated authority to the Monitoring Officer to grant dispensations in the future.

### 32 **Gifts and Hospitality - Agenda Item 7**

During the discussion, the following points were raised:-

- Members debated the report frequency and decided that 6-monthly would be sufficient, with the caveat that if something was declared of a significant value, it would be flagged with the Committee.
- Concern was raised that the report did not include when the declarations were made and members queried how did officers know that councillors were declaring all gifts received.  
*The Service Manager for Member Development and Support advised that it was based on trust that the councillors abided by the Code of Conduct.*
- Members highlighted that Parish Councils had not been advised on the use of a Gifts Register.  
*The Service Manager for Member Development and Support advised that it would depend on what the Parish Council included within their Code of Conduct.*
- Members highlighted that councillors also had to declare if they had declined a gift.
- Members requested that other councils were used as benchmarks when reporting to the Committee.

**Resolved** that the Standards Committee:-

- 2.1 Noted the gifts and hospitality received set out in Appendix A.
- 2.2 Determined the frequency of reporting gifts and hospitality received to the Standards Committee to be 6-monthly.

### 33 **Annual Report of the Standards Committee - Agenda Item 8**

The Chair of the Committee thanked all the committee members and the officers for their hard work over the past year and looked forward to working together in the upcoming municipal year.

### 34 **Standards Committee and Hearing Panel Terms of Reference - Agenda Item 9**

During the discussion, the following points were raised:-

- Members queried section 3.7 in the report, which stated that the option for a member right of appeal had been ruled out, and whether that was correct.  
*The Monitoring Officer for Sedgemoor District Council (SDC) advised that when benchmarking against other councils, there were some differences, however those councils that allowed a right of appeal were in the minority.*
- Members queried section 3.4 in the report and whether the committee fulfilled the 3 out of 5 co-opted/parish members.  
*The Monitoring Officer for SDC advised that yes, the committee had 2 members.*
- Members queried section 3.6 in the report and whether the committee membership included the co-opted members.  
*The Monitoring Officer for SDC advised that it included the whole membership.*
- Members requested that the right of appeal be reviewed.
- Members queried recommendation 2.2 and what constituted a minor change.  
*The Monitoring Officer for SDC advised that the report was due to go to the Constitution and Governance Committee after this meeting and minor changes would mean typing errors and small amendments. They suggested that they added the line 'in consultation with the Chair of the Standards Committee' to the recommendation.*
- Members highlighted that a sub-committee would only take place if the Monitoring Officer and Independent Person had agreed that it was a valid complaint. So therefore, the councillor would already be aware that a sub-committee could be required.
- Members queried the publication of the sub-committee results.  
*The Monitoring Officer for SDC advised that the detail would be included within the Complaints Procedure.*
- Members debated the political balance rule on the committee and sub-committee.

**Resolved** that the Standards Committee:-

- 2.1 Noted the proposed draft terms of reference for the Standards Committee and the Standards Hearing Panel and recommended to the Council that they should be adopted by the Council with effect from 1<sup>st</sup> April 2023; and
- 2.2 Delegated to the Monitoring Officer, in consultation with the Chair of the Standards Committee, the authority to make further minor amendments to draft terms of reference before their submission to the Council for adoption as required.

35 **Complaints regarding Councillors Procedure - Report To Follow - Agenda Item 10**

During the discussion, the following points were raised:-

- The Monitoring Officer for SDC discussed the result publication process, which included that the initial stages would not be published, they would only go to the Standards Committee as an update on how many

complaints had been received. The only time an outcome would be published was in relation to a hearing. The middle stage of the process would be for the Monitoring Officer to decide, for example that there had been a breach but no requirement for a sub-committee.

- Members queried what the guidance had been based upon.  
*The Monitoring Officer for SDC advised that it had been based on the Local Government Association Model Code of Conduct, which the Council had adopted.*
- Members requested a media protocol be included within the guidance.
- Members thanked the officers for their work on the procedure.

### 36 **Update from the Priority Groups - Agenda Item 11**

During the discussion, the following points were raised:-

- Priority Group One's work had been covered within the previous two agenda items.
- Priority Group Two – Members went through the spreadsheet they had worked on and thanked the Somerset Association for Local Councils for their involvement in gathering the data on adoption of the model code of conduct. The Group now needed to facilitate discussions with those councils who had not adopted the code.

**(The meeting ended at 11.50 am)**

**CHAIRMAN**