

**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES ON MONDAY, 12 JANUARY 2009**

MEMBERS

* Mr M Winterton - Independent Chairman

* Cllr B E Carson

* Mr R Allison (Independent Member)

* Cllr G Date

∅ Mr P Dredge (Parish Representative)

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance:

All Agenda Items: Deputy Monitoring Officer; Legal Executive and Member Support
Services Manager

S.13/08 MINUTES

The minutes of the meeting of the Standards Committee held on 9 September 2008 were confirmed as a correct record and signed by the Chairman.

S.14/08 URGENT BUSINESS

The Chairman advised that he wished to raise one urgent item at this meeting in relation to an update on the progress made on the Standards Investigations which had been received since the new procedures came into effect on 8 May 2008. The Chairman advised that he wished for this item to be taken in exempt session as Item 7 (Minute S.18/08 below refers).

S.15/08 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting.

For clarity, it was believed that at present, if Council Members felt they could determine matters which involved colleagues (who were the subject of a complaint) fairly and without bias, they did not need to declare an interest in any related matters. However, it was requested that confirmation in respect of this issue be provided to the Committee in due course.

S.16/08 REVIEW OF NEW PROCEDURES FOR STANDARDS INVESTIGATIONS

The Committee considered a report which sought to inform it of the review of the new procedures, which had been requested by the Scrutiny Group (minute SC.36/08 refers).

In discussion, reference was made to:-

- (a) the review conducted by the Scrutiny Group. Members were informed that the comments raised by the Scrutiny Group during its consideration of the review had been incorporated into the submitted response from the Council to the Department of Communities and Local Government;
- (b) increasing the membership of the Committee. It was confirmed that the Executive had endorsed the recommendations of the Scrutiny Group to increase the membership of the Committee by one additional town or parish council representative, and a further Independent Member. Officers advised that this recommendation would now be considered by full Council at its meeting on 5 February 2009;
- (c) training opportunities. Some Members expressed their support at the suggestion to partake in additional Standards Committee training opportunities;
- (d) the complaint form. Members made reference to the importance of stressing in all correspondence that the information relating to any complaints received must remain confidential.

RESOLVED

That the report be noted.

S.17/08 EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business as the likely disclosure of exempt information as defined in paragraph 7(c) of Schedule 12A to the Act is involved.

S.18/08 PROGRESS UPDATE ON THE STANDARDS INVESTIGATIONS RECEIVED SINCE 8 MAY 2008

As reported above (minute S.14/08 refers), a paper was tabled to the Committee which outlined a schedule of progress made on the investigations which had been received since 8 May 2008.

In order to continually monitor progress, the Chairman advised that it was intended that this schedule would be considered as a standing agenda item at each future Standards Committee meeting.

S.19/08 REPORT OF INVESTIGATING OFFICER: COMPLAINT SH04/170708

Consideration was given to an exempt report presented under Regulation 17 of the Standards Committee (England) Regulations 2008, for the Committee to consider a report of the investigating officer into an allegation that a Member had breached the Code of Conduct.

The Committee debated at length whether the contents of the Investigating Officer's report should be disclosed into the public domain. In conclusion, Members felt that the report should be disclosed to the public at the time of publication of the meeting agenda for when the matter was scheduled to be considered at a hearing.

RESOLVED

1. That complaint SH04/170708 be referred for consideration at a hearing of the Standards Committee; and
2. That the Monitoring Officer be authorised to take all necessary steps to give effect to the decision in accordance with the requirements of the Standards Committee (England) Regulations 2008.

(Meeting commenced at 2.00 pm and concluded at 2.55 pm).

Chairman