

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Committee

Date: Wednesday, 3rd December, 2003

Place: Civic Suite, Civic Centre, Southend-on-Sea

Present: Rev S Burdett, Cllr N M Baker, Cllr R Brown, Cllr A J Cole, Cllr R Davy, Cllr D F Garne, Cllr J L Lamb, Cllr D Johnson, Mr J Perry.

In Attendance: J K Williams, S Dibb, J Baker, A Wallace, G Fulford (Leigh-on-Sea Town Council) Mrs J Rowswell (Leigh-on-Sea Town Council).

Start/End Time: 18.30/20.35

**** **Part I**

814 Apologies and substitutions.

Councillors Mrs Salter (substitute Cllr Brown) Ascroft (substitute Cllr Davy) and Copley.

815 Appointment of Chairman

Resolved:-

That Reverend S Burdett be appointed Chairman of the Committee.

816 Appointment of Vice-Chairman

Resolved:-

That Councillor N Baker be appointed Vice-Chairman of the Committee.

817 Minutes of the Meeting held on Thursday, 18th July, 2002 6.30 p.m.

Resolved:-

That the minutes of this meeting be confirmed as a correct record.

818 Declarations of interest.

There were no declarations of interest.

819 Recruitment of new Independent Member

The Monitoring Officer reported difficulties he had experienced in recruiting a new independent member. Members agreed to assist, if possible, in identifying suitable candidates and suggested the Clerk to the Justices be approached.

820 Terms of Reference of the Standards Committee

The Committee noted its terms of reference and the Monitoring Officer agreed to add a reference to the Leigh-on-Sea Town Council's substitute, who had recently been appointed by the Council.

821 The Members Code of Conduct

The Committee considered report CETC 78 concerning training materials made available by the Standards Board for England relating to the "Members Code of Conduct".

Resolved:-

That the Standards Board's work book and video be used as a training tool for Members at the next general training session on the "ethical framework" and at other training events as appropriate, particularly induction training for new Members.

822 Declaration of Interests and Gifts/Hospitality pursuant to the Members' Code of Conduct - Southend-on-Sea Borough Council and Leigh-on-Sea Town Council Members

The Committee considered report CETC 79 concerning the arrangements which operate currently for Members of the Council and Leigh-on-Sea Town Council to declare and register interests and gifts/hospitality. The relevant Registers were produced for Members of the Committee to inspect.

Resolved:-

That the report be noted and the arrangements in place be confirmed as satisfactory.

823 Local Determination of Complaints by the Standards Committee

The Committee considered report CETC 77 concerning the key points of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 and setting out an adjudication procedure for the Standards Committee to hear allegations of misconduct referred to it by the Standards Board for England.

The Committee gave particular consideration to the size of the sub-committee which could deal with Hearings.

Resolved:-

1. That the Council be recommended to adopt the Guidance in respect of Standards Committee Determinations set out in the Annex to CETC report 77 including:

–The model forms at Appendix 1; and

–The Hearing Procedure Rules for determining complaints referred by the Standards Board for England at Appendix 2.

2. That the Council be recommended to add the Hearing Procedure Rules at Appendix 2, together with the remainder of the Annex to the report, as a new Part 4(i) of the Constitution.

3. That the Council be recommended to delete the existing paragraph (n) of the role and functions of the Standards Committee in Article 9.03 in Part 2 of the Constitution and that new paragraphs (n) and (o) be inserted:-

“(n) To hear and determine complaints against Members of the Council (and co-optees) and Members of Leigh-on-Sea Town Council referred by the Standards Board for England relating to an alleged breach of the Members Code of Conduct, provided that in dealing with such complaints:-

- The Committee must follow the Hearing Procedure Rules and Guidance in Part 4(i) of the Constitution; and

- The Committee may appoint a Sub-Committee to hold a hearing to be chaired by an independent member, such sub-committee to consist of five members with a quorum of three.

(o) To hear and determine complaints against Members of the Council and co-optees relating to an alleged breach of the Informal Planning Code in Part 5(c) or the Protocol on Member/Officer Relations in Part 5(e) provided that in dealing with such complaints the Committee should as far as possible follow the Hearing Procedure Rules and Guidance in Part 4(i) of the Constitution.”

824 Training for Members of the Standards Committee and all Councillors

The Committee considered report CETC 81 concerning training requirements of Members of the Committee and Members generally (including Members of Leigh-on-Sea Town Council), particularly in respect of the ethical framework.

Resolved:-

1. That the Committee receive training on the new Hearing procedure arrangements at its next meeting.
2. That training be provided to Members of the Council as set out in minute 821 above.
3. That the Monitoring Officer arrange a further training session for members of Leigh-on-Sea Town Council.

825 Complaints Procedure and Confidential Reporting Policy ("Whistle Blowing")

The Committee considered report CETC 82 concerning the Council's complaint procedures and whistle blowing policies

Resolved:-

That the report be noted and a further report be brought to the next meeting.

826 Date and Time of Next Meeting

Resolved:-

That the next meeting be held on 1st April 2004 at 6.30 p.m.