

MINUTES TO BE APPROVED AT THE MEETING ON THE 17TH MARCH 2004

WEST WILTSHIRE DISTRICT COUNCIL

DRAFT MINUTES

Minutes of the: **STANDARDS COMMITTEE**

Held on: **WEDNESDAY 28 JANUARY 2004**

Held at: **OCTAGON SUITE, BRADLEY ROAD, TROWBRIDGE**

Present:

District Council Ernie Clark and Eli Manasseh
Representatives:

External Tony Frost (Chair), Margaret Ellwood and Keith West
Representatives:

Town/Parish Council William Parks
Representatives:

Also present: Councillors Angie Barker, Terry Chivers, Tom James, and Tony
Phillips OBE

Officers: Head of Commercial Services and Legal Services Manager

50 APOLOGIES

Apologies for absence were received from Councillors Martin Baker, Horace Prickett and Sophie Farkas.

51 MINUTES

The minutes of the special meeting held on 9 December 2003 were amended to show that

- ? Councillor Terry Chivers had been present at the meeting.
- ? That Eli Manasseh had given his apologies.
- ? The second paragraph of Minute 48 was amended by the addition of words which are shown underlined below –

“The Legal Services Manager suggested that the Council could introduce a protocol which would require such a member to stand down from any Council business which was the subject matter of complaint in certain specified circumstances. Such a protocol had been developed for use by the Town and Parish Councils within the District.”

Once amended as shown above the minutes were signed by the Chair as a correct record.

52 DECLARATIONS OF INTEREST

There were no declarations of interest.

53 ANNOUNCEMENTS FROM THE CHAIR

The Chair was pleased to note that early feedback on the Comprehensive Performance Assessment indicated that the Standards Committee was regarded as one of the Council's strengths. The Chair thanked the members of the Committee for their contribution.

54 UPDATE ON COMPLAINTS

The Legal Services Manager presented a report informing the Committee that 3 complaints that had been made to the Standards Board for England about district, parish and town councillors. These were still under investigation and so the Committee was not able to receive any further information.

He also informed the Committee that a complaint about a town councillor had been dismissed by the Standards Board for England.

RESOLVED: That the report be noted.

55 REVIEW OF PROTOCOLS TO THE CODE OF CONDUCT

The Legal Services Manager presented a report reviewing the effectiveness of the protocols to the Code of Conduct.

The report dealt with the protocols in 3 parts and each was debated separately.

The first part of the report dealt with the protocol on member/officer relations. The Legal Services Manager explained that a recent survey of staff had, amongst a number of other issues, included comments about member/officer relations. The Portfolio Holder for Policy Co-ordination and the Head of Commercial Services then explained that a very thorough survey of the staff had been undertaken as part of a process to address areas for improvement identified during the Peer Review ahead of the Comprehensive Performance Assessment Inspection. The Corporate Team and the Leader or the Cabinet intended to manage the issues raised. As a first step the Corporate Team and the Leader or the Cabinet would prepare a response to the comments made by staff. The response would then be reported back to the Standards Committee for further consideration. The Portfolio Holder for Policy Co-ordination and the Head of Commercial Services accepted a suggestion made during the debate that members' views should also be sought on the protocol.

RESOLVED: (i) That the Standards Committee would consider the issue again when it had received the response to staff being prepared by the Corporate Team and the Leader or the Cabinet

The Legal Services Manager presented the next part of the report on the planning, licensing and regulatory functions of protocol. He explained that a seminar including all members of the Planning Committee and other members of the Council had taken place on Thursday 22 January 2004. This has raised the perception of members' conduct during open forum. At that seminar the Chair of the Planning Committee had agreed to remind members of that Committee to pay close attention to the public speakers during open forum. It was

RESOLVED: (ii) That the complaints process should be monitored for a period of 6 months to see whether the changes to be implemented by the Chair of the Planning Committee had improved the perception of conduct during open forum; and

(iii) to write to the complainants who had raised this issue to explain that action was being taken to address their concerns.

The Legal Services Manager then presented the final part of the report relating to the ICT use of resource protocol. He explained that group leaders had asked for the protocol to be revised. A draft which reflected the views of the group leaders was attached at Appendix 2 to the report. There was considerable discussion about whether the protocol as drafted would prevent members from fulfilling their role as elected representatives and community leaders. It was

RESOLVED: (iv) That the draft protocol would be amended so as to permit councillors to use Council resources to fulfil their role as elected representatives and community leaders; and

(v) following amendment, the protocol would be submitted to Council for approval and inclusion within the Constitution.

56 ANNUAL REPORT

The Legal Services Manager presented a report which examined the annual report produced by the Standards Committee of Wiltshire County Council. The report compared and contrasted the responsibilities of the Standards Committees at this Council and the County Council. The Legal Services Manager also invited comments from members on lessons that could be learnt from the County Council's annual report to improve the District Council's own annual report when it was produced. It was

- RESOLVED:**
- (i) **That members would submit their views on the layout and content of the West Wiltshire District Council's annual report to the Legal Services Manager; and**
 - (ii) **the Legal Services Manager would prepare a draft annual report for the next meeting taking into account those comments.**

57 WORK PROGRAMME

The Legal Services Manager presented a draft work programme covering the next 4 meetings of the Committee for consideration. It was

RESOLVED: That the work programme be adopted.

58 DATE OF NEXT MEETING

The next meeting of the Committee will be held on 17 March 2004.

These minutes were prepared by Gareth Owens, Legal Services Manager
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The meeting started at 7pm and finished at 8.30pm