

## South Somerset District Council

**Draft Minutes** of a meeting of the **Standards Committee** held in the **Council Offices, Brympton Way, Yeovil** on **Tuesday 10 December 2013.**

(2.15pm – 3.20pm)

### **Present:**

**District Councillors:** John Calvert, Anna Groskop, Paul Maxwell, Nigel Mermagen, Patrick Palmer (Chairman)

**Parish Representatives:** Godfrey Townrow

**Independent Persons:** Christopher Borland

### **Officers:**

Ian Clarke	Assistant Director (Legal and Corporate Services)
Angela Cox	Democratic Services Manager
Becky Sanders	Democratic Services Officer

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### **1. Minutes (Agenda item 1)**

Parish Representative, Godfrey Townrow, suggested an amendment to the last bullet point in minute 6 so that it read *'acknowledge that the complaint remains unresolved and to pursue any further would not be in the public interest.'*

Members were content that the minutes of the meeting held on 11 February 2013, copies of which had been circulated, be approved and signed as a correct record, subject to the amendment being made to minute 6.

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### **2. Apologies for Absence (Agenda Item 2)**

Apologies for absence were received from Peter Forrester and Councillor Jenny Kenton.

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### **3 Declarations of Interest (Agenda Item 3)**

There were no declarations of interest.

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### **4. Public Question Time (Agenda Item)**

There were no members of public at the meeting.

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## 5. Openness and Transparency on Personal Interests (Agenda Item 5)

The Monitoring Officer introduced the report as shown in the agenda which alerted members to recent advice issued in a publication by the Department for Communities and Local Government. He noted that regarding interests of spouses, there was no requirement to register spouse's interests separately, and members were only required to register interests that they were readily aware of. It was also highlighted that the guidance clarified the situation regarding members making decisions about annual council tax setting, and that it was not considered to be a Disclosable pecuniary interest and therefore dispensations were not required.

During a brief discussion members suggested that the guidance should be circulated to town and parish councils, in addition to district councillors.

**RESOLVED:** That the guidance entitled 'Openness and transparency on personal interests' published by Department for Communities and Local Government (Sept 2013) be circulated to all members and co-opted members of SSDC, and town and parish councils. and to ask that all councillors have regard to it.

*(Voting: Unanimous)*

*Ian Clarke, Assistant Director (Legal and Corporate Services)  
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## 6. Review of the Members' Code of Conduct (Agenda Item 6)

The Monitoring Officer introduced the report as detailed in the agenda which asked members to consider the review of the Code of Conduct that was adopted in July 2012. It was noted that all the Somerset authorities were going through the same process, and the only change suggested at this time was to adopt the new principles of public life, as shown in appendix B, which gave more description than the current version. Members agreed that a report go to Council recommending adoption of the revised principles.

The Monitoring Officer highlighted points with regard to specific elements of the Code including:

- Parish and town council register of interests were received slowly over a long period of time, and it was a large workload for officers to check and record the many forms from over 100 councils.
- It was easy for any councillor to declare an interest, but there was a need to reinforce that an explanation of how the interest had arisen also needed to be provided, and this was not always the case with some parishes.
- Since the complaints process had been streamlined, very few complaints had proceeded past the first stage.
- There had been some instances where parish or town councils had granted dispensations apparently for no good reason. However parish dispensations were not a matter over which the Standards Committee had jurisdiction.

During discussion members made several comments including:

- Parishes were struggling to recruit and retain clerks. Acknowledgement that breadth of expertise required, and in some cases the role was becoming quite onerous.
- There were issues around training to ensure confidence by and in the clerk.

- The Standards Committee should promote and encourage training for clerks.
- Complaints assessed to date by the Independent Persons had been fairly quickly concluded, often there appeared to be little substance to the complaints.

Members felt that a single annual report to Council was adequate and more regular reporting was not necessary, and it was agreed that that the Chairman and an Independent Person present the report at the May meeting of Council.

**RESOLVED:** It was resolved that:

- (a) The report be noted
- (b) A report goes to Council recommending adoption of the revised principles of public life.
- (c) Reports to Council continue to be made annually only.

*(Voting: Unanimous)*

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## **7. Review of Complaints Process (Agenda Item 7)**

The Monitoring Officer summarised the report as shown in the agenda, which asked members to support a number of changes to the existing complaints form and accompanying guidance notes. He explained the changes were mostly updates to reflect that the current complaint process had been in place for over a year, and therefore to delete references to the old process and regime. It was also proposed to highlight key points on the form and guidance notes such as the sanctions available and parishes having their own codes.

Members commented that every parish having its own code was very confusing to the public and that the list of parishes in the guidance notes needed to be corrected to indicate those parishes which were Parish Meetings and hence there were no councillors. The Monitoring Officer noted that Democratic Services would see if it was possible to put links to each of the parish codes on the SSDC website.

Members agreed that a recommendation from the Standards Committee go to Council to adopt the revised complaints form and guidance notes.

**RESOLVED:** That subject to the list of parishes in the guidance notes being corrected, a report go to Council recommending adoption of the revised complaints form and accompanying guidance notes.

*(Voting: Unanimous)*

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## **8. Update on Matters of Interest (Agenda Item 8)**

The Monitoring advised that:-

- 18 complaints had been received, as detailed in the report for agenda item 6.
- Progress on current complaints – some of the information provided with complaints was limited with issues being described rather than stated e.g.

allegations of offensive language being used but not stating what was actually said. There had been an expectation that the number of complaints would reduce under the new procedures but this had not been the case.

- Complaints assessed to date by the Independent Persons had been fairly quickly concluded, often there appeared to be little substance to the complaints.
- The proposed approach to reviewing the protocol on Member/Officer relations would be to consult with a number of staff and members for opinions, and then provide feedback to the Standards Committee to ascertain if there are any issues and then for the committee to consider a revised protocol.

**RESOLVED:** That the verbal updates be noted.

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## **9. Committee Work Programme and Future Meetings (Agenda Item 9)**

The Monitoring Officer commented that he did not wish the Committee to meet unnecessarily, and would only call a meeting if there was substantial business to conduct. It was noted that the item to consider revisions to the Constitution should have referred to 2014 and not 2013 as shown in the agenda.

The Independent Person requested that the item regarding Independent Persons meeting with Political Group Leaders and the Chief Executive should be pursued. In response, the Chairman noted that Political Group Leaders met with the Chief Executive three to four times a year and it should be possible to arrange for them to attend one of the meetings.

- RESOLVED:**
1. That the Work Programme be noted.
  2. That the future meeting dates be noted.

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Chairman