

## **STANDARDS COMMITTEE**

### Minutes of a meeting of the Standards Committee held on 1<sup>st</sup> October 2003 commencing at 7 p.m.

Present: Cllrs. Dibsdall, Loney, Mrs. Robinson and Tuke.

Independent Members: Mr. Riddell and Mr. Bootle

Apologies for absence were received from Cllrs. Mrs. Course and Ryan.

Cllr. Howes was present throughout the meeting. Cllr. Watson joined the meeting at the commencement of the consideration of the item regarding the "Procedure for Local Determination of Allegations about the Personal Conduct of Council Members".

#### 322. ELECTION OF CHAIRMAN

Resolved: That Mr. Riddell be elected Chairman of the Committee for the current municipal year.

#### 323. ELECTION OF VICE-CHAIRMAN

Resolved: That Cllr. Mrs. Robinson be elected Vice-Chairman of the Committee for the current municipal year.

#### 324. MINUTES OF THE LAST MEETING

Resolved: That the minutes of the meeting of the Committee held on 19<sup>th</sup> February 2003 be confirmed and signed by the Chairman as a correct record.

#### 325. DECLARATIONS OF INTEREST

Cllr. Mrs. Robinson declared a personal and prejudicial interest in Item 5 (Standards Board for England – Summary of Case No. SBE408.02) and withdrew from the meeting during discussion and voting on this matter.

#### 326. STANDARDS BOARD FOR ENGLAND – SUMMARY OF CASE NO. SBE408.02

The Monitoring Officer informed the Committee that the Standards Board for England had completed their report on Case SBE408.02 on 24<sup>th</sup> March 2002. The report had been presented to Council on 22<sup>nd</sup> July 2003 who had referred the report to this Committee.

The Committee considered the summary of this case, attached as an Appendix to the Report.

Resolved: That the report be noted

327. PROCEDURE FOR LOCAL DETERMINATION OF ALLEGATIONS ABOUT PERSONAL CONDUCT OF COUNCIL MEMBERS

The Monitoring Officer explained that the Local Authorities (Code of Conduct)(Local Determination) Regulations 2003 had come into force on the 30<sup>th</sup> June 2003 and a copy was attached at Appendix 2 to the report.

Sevenoaks District Council would shortly be receiving its first referral from an Ethical Standards Officer (ESO) of the Standards Board at which point this Committee would be under a legal obligation to determine whether a Member had failed to follow the Authority's Code of Conduct. If it were decided that such a failure had occurred, the Committee would need to decide whether or not any penalty should be applied and what form that penalty should take.

Furthermore, it was noted that the Standards Committee must hold a hearing in relation to an allegation within three months of the Monitoring Officer receiving the report from the ESO.

It was necessary, therefore, for this Committee to adopt a procedure for the local determination of allegations about the personal conduct of Council Members. The Committee considered the draft procedure which had been prepared by the Monitoring Officer and which was attached as Appendix 1 to the report.

Following discussion, the Committee agreed that the draft procedure should be adopted subject to an amendment to paragraph 16 so that it should read:

“The Hearing Panel will be composed of five members in total with a minimum of two independent members and three elected members, preferably from different political parties.

When the Member is a member of a town or parish council the Hearing Panel will be composed of five members in total with a minimum of one independent member and three elected members, preferably from different political parties, and one Parish Councillor”.

In adopting this procedure it was recognised that it might be necessary to make alterations once the Committee had had a chance to see how it worked in practice. It was also suggested that it would be beneficial to hold a meeting of the full Standards Committee prior to the first meeting of the Hearing Panel to ensure that all Members were fully acquainted with the procedure to be followed.

Resolved: That, subject to the agreed amendment to paragraph 16, the “Procedure for local determination of allegations about the personal conduct of Council Members” (the Procedure), as set out in Appendix 1 to the report, be adopted.

328. THE CODE IN PRACTICE – TRAINING SESSION

The Committee viewed two videos issued by the Standards Board. The first was a short video explaining the importance of the Code of Conduct. The second video contained five scenarios which illustrated the application of the Code in different situations. The subjects covered by the video were:

- declaration of interests and the duty to inform

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- appropriate allegations
- personal and prejudicial interests
- dual-hatted Members (Members who are both Parish and District Councillors)
- the Standards Board investigation

At the end of each scenario Committee Members discussed the issues raised, under the guidance of the Monitoring Officer. In concluding the training session, the Monitoring Officer reminded Committee Members that they could contact her with any further queries they may have.

THE MEETING WAS CONCLUDED AT 8.40 P.M.

Chairman

