

Standards Committee

Thursday, 18th July, 2013
11.00 am

Attendees	
Borough Councillors:	Wendy Flynn (Chair), Anne Regan (Vice-Chair), Garth Barnes, Bernard Fisher and Simon Wheeler
Independent Members:	Mr Martin Jauch and Mr Duncan Chittenden
Also in attendance:	Sara Freckleton

Minutes

1. APOLOGIES

Councillor Godwin and Fletcher

2. DECLARATIONS OF INTEREST

None

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting had been circulated with the agenda.

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting held on 11 December 2012 be agreed and signed as an accurate record.

4. PLANNING CODE OF CONDUCT

The report of the Monitoring Officer, circulated at Pages 7 -22 recommended a review of the Planning Code of Conduct which was last updated and approved in October 2006. There had been significant changes in the meantime to the Standards/ Code of Conduct regime as a consequence of which the Code was not up to date, although the thrust of the advice contained in it and expected behaviours remained relevant and should be observed until its replacement is adopted. However, the flowchart appended to the Code was completely out of date as it related to terminology in the Code of Conduct in place in 2006, since which there had been two major revisions. In order to avoid confusion the flowchart had been removed from the version of the Planning Code published on the website.

In order to ensure a thorough and comprehensive review of the Planning Code of Conduct, the Monitoring Officer recommended that a "task and finish" Working Group of Members and Officers should be set up to conduct the review in consultation with Members and with Officers involved in the Planning process. The Working Group would then be able to recommend to the Standards Committee a revised Planning Code that would be up to date and tailored to the Council's needs.

Members discussed individual points of concern which it was hoped would be addressed by the Working Group. One Member raised concern about use of social media in relation to planning matters and how this reflected on the public perception of the Council. The Monitoring Officer advised that care needed to be taken in the use of Social Media which was a useful communication tool but Members would need to have regard to their responsibilities when acting as Planning Committee members and, of course, to the Code of Members' Conduct.

A Member also referred to the difficulties for Members when being contacted by developers or objectors, often in long e-mails, and that felt that he could only respond by saying that he would take the representations into account. He felt that, if he wanted to speak for objectors, he would have to stand down as a Committee Member for that meeting. He hoped that the revised Planning Code would provide clarity for members and the public on this point.

Members recognised that the Planning Code did require refreshing and were in agreement with the composition and terms of reference for the Working Group as suggested in the report.

Upon a vote it was unanimously

RESOLVED that Councillor Flynn, Councillor Fisher and Mr Chittenden would form the Working Group to review the Planning Code of Conduct and prepare a revised code for consideration by the Standards Committee. The review will include consideration of any recent best practice guidance from the Department for Communities and Local Government and other relevant professional and public bodies. The review will include consultation, as appropriate, with Members and Officers.

5. LOCALISM ACT 2011 - IMPLEMENTATION OF CONDUCT REGIME

In offering an update on the implementation of the new conduct regime, the Monitoring Officer advised that a number of parish Councillors had expressed concern about the publication of personal data on the internet as required by the Localism Act. They felt that local people who wanted to make a difference in their communities would be deterred from becoming Parish Councillors because of these requirements. As the Committee was aware, the Monitoring Officer had written to the Department for Communities and Local Government (DCLG) and separately to the Information Commissioner in August 2012, outlining her concerns in respect of data protection and human rights implications of the publication requirements and had received an acknowledgement but not a response from the DCLG. In the meantime, the Register of Interest forms for the Borough and Parish Councillors had not yet been published on the internet. Nevertheless, all Members had complied with the registration requirements and the hard copies of their declarations are held by the Monitoring Officer and are available for inspection.

Members expressed concern about the potential for damage which could be done when personal data was freely available on the internet, some of which would be that of their spouse or partner. The Monitoring Officer agreed that, particularly in relation to the latter, the requirements of the Localism Act were difficult to reconcile with the data disclosure and human rights principles, hence

the reason for seeking clarification from the Government. If a response had not been received by the early part of next year, the Monitoring Officer would need to send a further letter as clarity was needed ahead of the 2014 Borough and Parish elections.

6. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION

Upon a vote it was unanimously

RESOLVED that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 1 and 2 of Part 1, Schedule 12A (as amended) Local Government Act 1972, namely: Information relating to an individual/likely to reveal the identity of an individual

7. EXEMPT MINUTES

Upon a vote it was unanimously

RESOLVED that the exempt minutes of the meeting held on 11 December 2012 be agreed and signed as an accurate record.

8. REVIEW OF COMPLAINTS

The Monitoring Officer gave a report on a review of complaints.

9. ANY OTHER BUSINESS

10. DATE OF NEXT MEETING

Chairman