



Epping Forest District Council

STANDARDS COMMITTEE **Thursday, 12th September, 2013**

You are invited to attend the next meeting of **Standards Committee**, which will be held at:

Committee Room 1, Civic Offices, High Street, Epping
on Thursday, 12th September, 2013
at 7.30 pm .

Glen Chipp
Chief Executive

Democratic Services
Officer

G Lunnun (The Office of the Chief Executive)
Tel: 01992 564244 Email: glunnun@eppingforestdc.gov.uk

Members:

Mrs P Smith (Chairman), G Chambers (Vice-Chairman), R Cohen, Ms H Kane, Mrs J Lea, Mrs C Pond, B Rolfe, D Stallan and Mrs J H Whitehouse.

Independent Persons: K Adams, P Adams, D Cooper, R Pratt.

Parish/Town Councillors: R Alvin, J Barber, R Morgan and Ms J Whybrow.

1. APOLOGIES FOR ABSENCE

R Pratt (Independent Person)

2. SUBSTITUTE MEMBERS

(Deputy Monitoring Officer) To report the attendance of any substitute members for the meeting.

3. MINUTES (Pages 5 - 8)

To approve as a correct record the minutes of the meeting held on 13 June 2013 (attached).

4. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

5. COMPLAINTS PROCEDURE (Pages 9 - 26)

Recommendation:

To review the Complaints Procedures adopted in June 2012

(Monitoring Officer) The attached complaints procedures developed by the Public Law Partnership were adopted by the District Council in June 2012, subject to review after 12 months.

6. MEMBERS' CODE OF CONDUCT (Pages 27 - 40)

(Monitoring Officer) Arising from the discussion on the previous item, members are invited to review the existing Code and Conduct.

7. PLANNING PROTOCOL (Pages 41 - 60)

(Monitoring Officer) Officers will shortly be undertaking a review of the attached Planning Protocol. The Committee is invited to express initial views for incorporation into a revised draft document which will be submitted to a future meeting.

8. TOWN AND PARISH COUNCILS - AFFILIATION TO A STANDARDS COMMITTEE AND ADOPTION OF CODES OF CONDUCT AND COMPLAINTS PROCEDURES

(Monitoring Officer) An oral update will be given at the meeting on the current position regarding (a) the affiliation of parish/town councils to a Standards Committee and (b) the adoption by parish/town councils of Codes of Conduct and Complaints Procedures required under the provisions of the Localism Act 2011.

9. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS (Pages 61 - 62)

(Monitoring Officer)

(a) To consider the attached schedule showing the current position of active cases; and

(b) To consider the following requests from a Joint Parish Standards Committee Panel hearing:

(i) inclusion of the following statement in the EFDC Bulletin, sent to all Parish Councils in the District, and passed to the Essex Association of Local Councils to be formally disseminated:

"Councillors should remember when taking Office as Councillor, they are acting in a public office and publicly representing their parishioners. As such, they should consider their actions and words, and how they may be perceived by other members of the public before making statements or comments that may be taken out of context or before clear facts are known".

(Note: As the District Council Bulletin is not sent to Parish and Town Councils, a letter has been sent to those councils and the issue was

reported to the Local Councils' Liaison Committee);

(ii) consideration should be given to including a section in the Code of Conduct suggesting members should be extremely careful about ensuring they are fully briefed on any specific issue / document before making public comment, and if a councillor is unclear he/she should seek clarification before making public comment;

(iii) the Panel would like it noted they were concerned regarding the following two issues, and ask that the Monitoring Officer addresses these issues in future:

- there was no formal statement from the Clerk in the documentation regarding these cases, despite the fact that reference was made by the investigating officer that he had spoken with the Clerk. The Panel feel that a formal statement should have been made by the Clerk;

- none of the statements was signed by the relevant party making the statement. A signature would enhance the probity of such documents.

10. DATES OF FUTURE MEETINGS

(Monitoring Officer) The calendar for 2013/14 provides for meetings of the Committee on 12 December 2013 and 13 March 2014.

Additional meetings can be arranged as and when required by the Committee.

11. EXCLUSION OF PUBLIC AND PRESS

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

Agenda Item No	Subject	Exempt Information Paragraph Number
12	Allegations Made About the conduct of District and Parish/Town Councillors – Issues Arising	1

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

Agenda Item No	Subject
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

(1) All business of the Council requiring to be transacted in the presence of the

press and public to be completed by 10.00 p.m. at the latest.

- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

12. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND TOWN/PARISH COUNCILLORS - ISSUES ARISING

(Monitoring Officer) To discuss issues arising, if any, from active cases listed on the schedule for item 9.