



Epping Forest District Council

STANDARDS COMMITTEE **Monday, 8th December, 2008**

Place: Civic Offices, High Street, Epping
Room: Committee Room 2
Time: 7.30 pm
Committee Secretary: G Lunnun - The Office of the Chief Executive
Tel: 01992 564244 Email: glunnun@eppingforestdc.gov.uk

Members:

Ms M Marshall (Chairman), G Weltch and M Wright
District Councillors S Murray, B Rolfe, Mrs P Smith,

Parish/Town Council Representatives:

Councillors Mrs D Borton, J Salter, B Surtees

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- 1. APOLOGIES FOR ABSENCE**
 - 2. COUNCILLOR JASON SALTER**

To welcome Councillor Jason Salter recently appointed as the third parish/town council representative on the Committee.

- 3. MINUTES (Pages 5 - 26)**

To approve as a correct record the minutes of the meeting held on 2 July 2008 (attached).

- 4. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda.

- 5. REVISED CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS - CONSULTATION (Pages 27 - 66)**

Recommendation:

To agree a response to those parts of the consultation paper concerning proposals for revising the Local Authorities (Model Code of Conduct) Order

2007 and the Relevant Authorities (General Principles) Order 2001.

(Monitoring Officer) This consultation paper is one of a series of Communities in Control consultation documents following the publication of the Local Government Empowerment White Paper, *Communities in Control: Real People, Real Power*, on 9 July 2008, and builds on work still in progress from the 2006 White Paper, *Strong and Prosperous Communities*.

This paper invites views on proposals for revising the Local Authorities (Model Code of Conduct) Order 2007 and the Relevant Authorities (General Principles) Order 2001. It also seeks views on the proposed introduction of a model code of conduct for local government employees although this part is not an issue for this Committee. Particular questions on which comments are sought are summarised at Annex A to the paper.

Copies of the consultation paper have been sent to all principal local authorities, parish councils and other organisations and individuals who have a particular interest in these issues

6. DETERMINATION OF ALLEGATIONS RELATING TO THE CONDUCT OF MEMBERS (Pages 67 - 68)**Recommendation:****To note guidance issued by the President of the Adjudication Panel.**

(Monitoring Officer) One option available to a standards committee after considering an investigating officer's report is to refer the matter to the Adjudication Panel for England for determination by a tribunal.

The President of the Adjudication Panel has issued guidance on the circumstances in which the Adjudication Panel will consider accepting a reference from a standards committee (attached).

7. DISPENSATIONS (Pages 69 - 76)**(a) Waltham Abbey Town Council – Applications for Dispensation****Recommendations:**

- (1) To confirm the minutes of the Dispensations Sub-Committee held on 2 July 2008; and**
- (2) To note the steps taken by the Waltham Abbey Town Council following the granting of dispensations.**

(Monitoring Officer) At its meeting on 24 April 2008, the Committee authorised a Sub-Committee comprising Ms M Marshall, G Weltch and Councillor Mrs D Borton to determine applications for dispensation from 10 Waltham Abbey Town councillors.

The Sub-Committee met on 2 July 2008 and the minutes of that meeting are attached.

On 15 September 2008, the Town Clerk of Waltham Abbey Town Council subsequently advised that a Special Meeting of the Town Council had been held on 17 July 2008 to co-opt a member to fill the vacancy on the Town Council. All members in attendance had declared personal and prejudicial interests as at least one of the applicants was known to each of them. Taking account of the dispensations granted by the Sub-Committee the Town Council members proceeded to interview the four applicants and held a ballot to select a co-opted member. Mr M Reilly was duly co-opted to the Town Council to fill the vacant seat in the Honey Lane ward.

(b) Dispensation – Application Form

To consider the attached draft pro forma for submission of future dispensation applications.

8. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS - CURRENT POSITION (Pages 77 - 78)

(Monitoring Officer) To note the attached schedule.

9. DATES OF FUTURE MEETINGS

(Monitoring Officer) The calendar for 2008/09 provides for meetings of the Committee on 27 January and 14 April 2009

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

10. 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
Nil	Nil	Nil

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

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.