



# Epping Forest District Council

## **STANDARDS COMMITTEE** **Thursday, 13th December, 2012**

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, 13th December, 2012**  
**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](mailto:glunnun@eppingforestdc.gov.uk)

### **Members:**

Councillors Mrs P Smith (Chairman), G Chambers (Vice-Chairman), K Angold-Stephens, Ms H Kane, A Mitchell MBE, Mrs C Pond, B Rolfe, D Stallan and Mrs J H Whitehouse

### **Independent Persons:**

P Adams, D Cooper, J Guth, R Pratt and K Adams (reserve)

---

#### **1. INDEPENDENT PERSONS**

To welcome Independent Persons to the meeting.

#### **2. APOLOGIES FOR ABSENCE**

#### **3. SUBSTITUTE MEMBERS**

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

#### **4. MINUTES (Pages 7 - 14)**

To approve as a correct record the minutes of the meeting held on 2 October 2012 (attached).

#### **5. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda.

**6. CODE OF CONDUCT AND PARTICIPATION AT MEETINGS - DISPENSATIONS (Pages 15 - 24)**

(Monitoring Officer) To consider the attached report.

**7. INDEPENDENT PERSONS' WORKSHOP - 15 NOVEMBER 2012 (Pages 25 - 26)**

Report of Roger Pratt on his attendance at the Workshop held on 15 November 2012 – attached.

**8. APPOINTMENT OF INDEPENDENT PERSONS UNDER THE LOCALISM ACT 2011 (Pages 27 - 28)**

**Recommendations:**

- (1) To note the response of Brandon Lewis, Parliamentary under Secretary of State, Department for Communities and Local Government, to a motion adopted by the Council at its meeting on 27 September 2012 regarding the rules which preclude previous independent members of Standards Committees from continuing as independent persons under the new arrangements; and**
- (2) To note that as a result, Jason Guth will cease to be an Independent Person on 30 June 2013 and his place will be taken at that time by Kim Adams.**

(Monitoring Officer) At its meeting on 27 September 2012, the Council adopted the following motion:

“That this Council –

- (a) deplores the loss of expertise of experienced independent members from the previous Standards Committee because of the Government's decision not to permit them to be appointed as independent persons for a term of office which extends beyond June 2013;
- (b) agrees that, not only is this excluding experienced people with considerable expertise, but has also wasted considerable investment in training and advice provided for independent members by Council officers;
- (c) notes that the role of independents has not changed fundamentally under the new standards arrangements; and
- (d) calls upon the Government to amend the legislation to allow independent members of the previous Standards Committees to apply to become independent persons under the new standards arrangements on a continuing basis and makes representations to that effect to the Secretary of State for Communities and Local Government and the other two local Members of Parliament”.

The response of the Parliamentary under Secretary of State, Department for

Communities and Local Government, is attached.

As a result, Jason Guth will cease to be an Independent Person on 30 June 2012 and his place will be taken at that time by Kim Adams.

**9. JOINT PARISH STANDARDS COMMITTEE (JSC) - PROGRESS REPORT  
(Pages 29 - 42)**

(Deputy Monitoring Officer) At the last meeting, the Committee asked for an update on the establishment of the JSC. With this in mind, the following reports are attached:

- (a) the Constitution of the JSC as approved at the inaugural meeting on 31.10.12;
- (b) the draft minutes of the JSC meeting on 31.10.12;
- (c) a list of representatives of the affiliated Town and Parish Councils;
- (d) note of a meeting held on 29.10.12 between the Monitoring Officer/Deputy Monitoring Officer and Parish Council representatives on operational arrangements.

Points of particular interest will be highlighted at the meeting.

**10. REGISTRATION OF COUNCILLORS' INTERESTS**

(Deputy Monitoring Officer) To receive an oral report relating to the registration of interests by District, Town and Parish Councillors.

**11. TOWN & PARISH COUNCILS - ADOPTION OF CODES OF CONDUCT AND COMPLAINT PROCEDURES**

(Deputy Monitoring Officer) All Parish and Town Councils are required to adopt a Code of Conduct and a complaints procedure by the Localism Act 2011. Of the 24 Parish/Town Councils in this district, the position is as follows:

**Using the Public Law Partnership Code/Complaints Procedure (PLP):**

Buckhurst Hill, Chigwell, Epping Town, Epping Upland, Lambourne, Loughton Town, Matching, Moreton, Bobbingworth & The Lavers, Nazeing, North Weald Bassett, Ongar Town, Roydon, Sheering, Stanford Rivers, Stapleford Abbots, Theydon Bois, Waltham Abbey Town, Willingale (18)

**Using National Association of Local Councils (NALC) Draft Code and Own Complaints Procedure:**

High Ongar (1)

**Using Own Code and Complaints Procedure:**

Theydon Mount (1)

Replies are awaited from the following Parish and Town Councils: Abbess, Beauchamp & Berners Roding (currently considering their code), Fyfield, Stapleford Tawney, Theydon Garnon (4).

## 12. PARISH AND TOWN COUNCIL REPRESENTATION

(Deputy Monitoring Officer) To receive an oral update on the responses of the six parish/town councils which have chosen to join this Committee to the request to liaise and nominate three non-voting representatives to serve on the Committee for the remainder of the current Council year, subject to there being no more than one member nominated from any one authority.

## 13. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS (Pages 43 - 44)

(Monitoring Officer) To consider the attached schedule showing the current position of active cases.

## 14. DATES OF FUTURE MEETINGS

(Monitoring Officer) The calendar for 2012/13 provides for another meeting of the Committee on 28 March 2013.

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

The draft calendar for 2013/14 provides for meetings on 13 June 2013, 12 September 2013, 12 December 2013 and 13 March 2014.

## 15. 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
16	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.

## **16. 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 13 .