



# 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)

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#### **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 .

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## 5. TERMS OF REFERENCE

Members noted the terms of reference of the Committee as agreed by the Council on 18 June 2012, subject to review after 12 months.

Members discussed the terms of reference with a view to identifying matters to be considered at the review.

The Deputy Monitoring Officer reminded Members that the terms of reference were based on the model produced by the Public Law Partnership in an attempt to provide standardised arrangements for all authorities in the Partnership and that when the Council undertook its review account would also be taken of the views of that body to ensure as far as possible that a consistent approach would continue.

The Monitoring Officer advised that the Government had also indicated that a national review would be undertaken of the new standards regime after a few years of operation.

### **RESOLVED:**

- (1) That the terms of reference of the Committee be noted; and
- (2) That as part of the review, the Council be recommended to amend the provision for inviting a parish councillor to be co-opted as a non-voting member of a Sub-Committee when consideration is given to a complaint about a parish councillor, to exclude from fulfilling that role dual-hatted members and members of the same parish/town council as the member who is subject to the complaint.

## 6. CODE OF CONDUCT AND PARTICIPATION BY MEMBERS

The Committee received the Code of Member Conduct adopted by the Council on 18 June 2012 which had been developed by the Public Law Partnership. Members noted that the Code had been adopted subject to review after 12 months.

The Deputy Monitoring Officer reported that the Council had noted that the new Code did not include the provisions included in the previous Code for members having an interest to make representations before leaving a meeting where the public had the right to speak. The Council had, therefore, requested this Committee to consider recommending a standing order to provide for the circumstances under which a member could make representations of this kind.

The Committee noted that Section 31 of the Localism Act 2011 made it clear that if a member was present at a meeting of the Council, its Executive or any Committee of the Executive, or of any Committee, Sub-Committee, Joint Committee or Joint Sub-Committee of the Authority, and had a disclosable pecuniary interest relating to business which was to be considered at the meeting, he/she could not:

- (a) participate in any discussion of the business at the meeting; or
- (b) participate in any vote on the matter at the meeting.

The Committee also took account of the Department for Communities and Local Government Guide for Councillors on the new standard arrangements which stated



that these prohibitions applied to any form of participation, including speaking as a member of the public.

The Monitoring Officer advised that it would be inappropriate to have a standing order which was contrary to statute and in the event of a challenge the law would prevail.

The Committee discussed the possibility of members having a disclosable pecuniary interest and wishing to make representations before leaving a meeting where the public had the right to speak being required to seek a dispensation. Attention was drawn to the adopted terms of reference of the Committee in relation to the granting of dispensations:

(a) the Committee to consider granting dispensations after consultation with the independent person(s) pursuant to Section 33(2)(b), (c) and (e) of the Localism Act 2012; and

(b) the Monitoring Officer to grant dispensations after consultation with the independent person(s) pursuant to Section 33(2)(a) and (d) of the Localism Act 2012.

Members suggested that the issue would be likely to arise mainly at meetings considering planning applications and expressed concern about the timescale for determining requests for dispensation, particularly those requiring a decision of the Standards Committee bearing in mind that members would only become aware of a planning application going to a committee approximately 10 days before a meeting.

**RESOLVED:**

(1) That the Code of Member Conduct adopted by the Council on 18 June 2012 be noted;

(2) That a report be submitted to the Council:

(a) explaining the reasons why it is inappropriate to have a standing order allowing for members having a disclosable pecuniary interest to make representations before leaving a meeting where the public have the right to speak; and

(b) recommending that in such circumstances a member should seek a dispensation; and

(3) That a report be submitted to the next meeting of the Committee suggesting a process for dealing with Member requests for dispensation bearing in mind the likely timescales involved.

## **7. COMPLAINTS PROCEDURES**

The Committee noted the complaints procedures adopted by the Council on 18 June 2012 which had been developed by the Public Law Partnership. Members also noted that these documents had been adopted subject to review after 12 months.

## 8. PARISH/TOWN COUNCIL ARRANGEMENTS

The Deputy Monitoring Officer reported that whilst under the new standards regime it was optional for District and Town/Parish Councils to have a Standards Committee, it was necessary for all councils to adopt a Code of Conduct and a complaints procedure. The Committee noted that whilst some of the Parish/Town Councils in the District had affiliated to the District Council's Standards Committee, others had affiliated to a Joint Standards Committee for Parish and Town Councils. The current position was as follows:

### **(a) Standards Committee Arrangements**

#### **Affiliated to the District Council's Standards Committee:**

Chigwell, Epping Upland (subject to review after one year), Matching, Roydon, Sheering, Willingale (6);

#### **Affiliate to the Joint Standards Committee for Parish and Town Councils:**

Buckhurst Hill, Epping Town, Lambourne, Loughton Town, Moreton, Bobbingworth and The Lavers, Nazeing, North Weald Bassett, Ongar Town, Stanford Rivers, Stapleford Abbots, Theydon Bois (11);

#### **Not wishing to affiliate to any Standards Committee:**

High Ongar, Theydon Mount (2).

### **(b) Codes of Conduct and Complaints Procedures**

The Committee noted that in relation to Codes of Conduct and complaints procedures the position was as follows:

#### **Adopted the Public Law Partnership Code/complaints procedure:**

Buckhurst Hill, Chigwell, Epping Town, Epping Upland, Lambourne, Loughton Town, Matching, Moreton, Bobbingworth and The Lavers, Nazeing, North Weald Bassett, Ongar Town, Roydon, Sheering, Stanford Rivers, Stapleford Abbots, Theydon Bois, Willingale (17);

#### **Adopted the National Association of Local Councils Code and own complaints procedure:**

High Ongar (1);

#### **Using own code and complaints procedure:**

Theydon Mount (1).

### **(c) Outstanding Issues**

The meeting noted that five parish/town councils had yet to inform the Monitoring Officer of their adoption of a Code of Conduct and a complaints procedure.

The Monitoring Officer reported that a further meeting was to be held shortly with representatives of the Joint Committee for Parish and Town Councils in order to agree delegation authorities. She also reported that she would continue to seek

copies of the Codes of Conduct and complaints procedures of those Parish and Town Councils not adopting the Public Law Partnership model.

**RESOLVED:**

That a further report be made to the next meeting of the Committee on the outcome of further discussions with Town and Parish Councils.

**9. PARISH AND TOWN COUNCIL REPRESENTATION**

The Deputy Monitoring Officer reported that the Committee's Constitution envisaged that those Parish/Town Councils wishing to affiliate to this Committee should be represented at meetings of the Committee by non-voting representatives.

The Committee considered how the representation arrangements should operate.

**RESOLVED:**

- (1) That the Clerks of the six Parish Councils who have to date chosen to join this Committee be asked to liaise and nominate three non-voting representatives to serve on the Committee for the remainder of the current municipal year, subject to there being no more than one member nominated from any one authority; and
- (2) That copies of the agenda, reports and minutes of the Committee be sent to the clerks of the Parish Councils choosing to join the Committee.

**10. APPOINTMENT OF INDEPENDENT PERSONS**

The Committee noted that the under-mentioned had been appointed by the Council on 27 September 2012 as independent persons for the purposes of Section 28 of the Localism Act 2011 following consideration of the recommendations of the Panel which had interviewed applicants:

Mr P Adams

Mr D Cooper

Mr J Guth (Independent Member of the former Standards Committee - until 30 June 2013)

Mr R Pratt: and

Mr K Adams as a reserve member

The Deputy Monitoring Officer reported that arrangements were being made for a training session for the independent persons on 25 October 2012. He encouraged members of the Standards Committee to attend that session.

**11. FORMER MEMBERS OF THE STANDARDS COMMITTEE**

The Chairman reported on the contributions made to the standards regime by the following members of the former Standards Committee:

Parish/Town Councillors Daphne Borton, Chris Pond and Brian Surtees  
Independent Members – Richard Crone, Jason Guth and Murray Wright

**RESOLVED:**

That letters of thanks for their service be sent to the Parish/Town Councillors and Independent Members of the former Standards Committee.

**12. NEW STANDARDS ARRANGEMENTS - DELEGATION**

The Committee considered delegation issues which had become apparent since the Council had considered the new standards regime on 18 June 2012.

**RESOLVED:**

(1) That the following arrangements agreed by the Monitoring Officer in respect of her delegated powers under Chapter 7 of the Localism Act 2011 in respect of the District Council and the affiliated Parish Councils be noted:

(a) Deputy Monitoring Officer – authorised to act in the absence of the Monitoring Officer on all standards matters and as Code of Conduct complaint investigator when so appointed by the Monitoring Officer including liaison with independent persons;

(b) Assistant Director (Democratic Services) – authorised to act on behalf of the Monitoring Officer in respect of all hearings concerning Code of Conduct complaints and related matters including liaison with independent persons and

(c) Senior Democratic Services Officer – authorised to administer the process of initial complaint handling including liaison with independent persons and making recommendations to the Monitoring Officer on decisions as to whether complaints should (or should not) be investigated, referred for other action not involving a formal investigation and any complaints requiring reference to other legal processes;

(2) That a report be submitted to the Council recommending that the Monitoring Officer's existing delegated authority under the Localism Act 2011 be extended to cover action in respect of any Parish/Town Council affiliated from time to time to this Committee; and

(3) That a further report be submitted to a future meeting on any delegated powers to be granted by the Council to the Joint Parish Council Standards Committee following further discussions with Parish and Town Council representatives.

**13. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS**

The Committee received a schedule regarding current allegations made about the conduct of District and Parish/Town Councillors.

**14. DATES OF FUTURE MEETINGS**

The Committee noted that the District Council's calendar for 2012/13 provided for meetings of the Committee on 13 December 2012 and 28 March 2013.

Members noted that additional meetings could be arranged as and when required.

## 15. EXCLUSION OF PUBLIC AND PRESS

### RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item No.</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
17	Allegations made about the Conduct of District and Parish/ Town Councillors – Issues Arising	1

## 16. ALLEGATIONS MADE ABOUT THE CONDUCT OF DISTRICT AND PARISH/TOWN COUNCILLORS – ISSUES ARISING

The Committee gave further consideration to the schedule regarding current allegations made about the conduct of District and Parish/Town Councillors.

CHAIRMAN

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## **Report to the Standards Committee**

**Date of meeting: 13 December 2012**

**Report of: Monitoring Officer**

**Subject: Code of Conduct and Participation at Meetings - Dispensations**

**Officer Contact for further information: Colleen O'Boyle (01992 564475)**

**Democratic Services Officer: Graham Lunnun (01992 564244)**

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### **Recommendations:**

- (1) That all applications seeking a dispensation be made in writing using the form attached as Appendix 1;**
  - (2) That applications seeking a dispensation requiring a decision by the Standards Committee where there is insufficient time to convene a meeting be determined as follows:**
    - (a) the Monitoring Officer will contact all members of the Committee and an Independent Person by email requesting views within a set time which will enable a decision to be conveyed to the subject member within five working days of receipt of the application by the Monitoring Officer;**
    - (b) the decision will reflect the views expressed by the majority of members, subject to a minimum of five responses being received by the Monitoring Officer and in the event of an equality of differing views, the view of the Chairman of the Committee or in his/her absence the Vice-Chairman will prevail;**
  - (3) That applications for a dispensation requiring a decision by the Monitoring Officer be determined within five working days of receipt;**
  - (4) That all other applications for dispensation be submitted to a meeting of the Committee for determination; and**
  - (5) That the Flowchart attached as Appendix 2 be published in the Council Bulletin together with a copy of the dispensation application form to make members aware of the procedures.**
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### **Background**

1. At its last meeting the Committee was advised that the Council had noted that the new Code of Conduct did not include the provisions contained in the previous Code for members having an interest to make representations before leaving a meeting where the public had the right to speak. The Council had, therefore, requested this Committee to consider recommending a standing order to provide for the circumstances under which a member could make representations of this kind.

2. The Committee considered the request and noted that Section 31 of the Localism Act 2011 made it clear that if a member was present at a meeting of the Council, its Executive or any Committee of the Executive, or of any Committee, Sub-Committee, Joint Committee or Joint Sub-Committee of the Authority, and had a disclosable pecuniary interest relating to business which was to be considered at the meeting, he/she could not:
  - (a) participate in any discussion of the business at the meeting; or
  - (b) participate in any vote on the matter at the meeting.
3. The Committee also took account of the Department for Communities and Local Government Guide for Councillors on the new standard arrangements which stated that these prohibitions applied to any form of participation, including speaking as a member of the public.
4. The Committee was advised that it would be inappropriate to have a standing order which was contrary to statute and in the event of a challenge the law would prevail.
5. Accordingly, the Committee recommended to Council that no action be taken on adopting a standing order and that in such circumstances members be required to seek a dispensation under Section 33 of the Localism Act 2011.
6. The Council at its meeting on 6 November 2012 adopting the recommendations of this Committee and agreed that the Committee should formulate a process for dealing with requests for dispensation bearing in mind the likely timescales involved.

### **Dispensation from Section 31 Requirements**

7. Section 33 of the Localism Act 2011 allows for the granting of dispensations relieving members from the restrictions of Section 31 if it is considered that:
  - (a) without the dispensation the number of persons prohibited from participating would be so great a proportion of the body transacting the business as to impede the transaction of the business;
  - (b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
  - (c) granting the dispensation is in the interests of persons living in the authority's area;
  - (d) without the dispensation each member of the authority's Executive would be prohibited from participating in any particular business to be transacted by the Executive; or
  - (e) it is otherwise appropriate to grant a dispensation.
7. The Council has previously agreed that requests for dispensation under (b), (c) and (e) in paragraph 7 above will be determined by this Committee and those under (a) and (d) by the Monitoring Officer.



## **Process for Granting Dispensations**

8. It is recommended that only written applications be considered.
9. It is envisaged that the issue of members seeking a dispensation to make representations is likely to arise mainly in relation to meetings considering planning applications and that requests will be made under (c) or (e) of paragraph 7 above. Such requests will need to be determined by the Committee and not the Monitoring Officer and regard needs to be had to the timescale for determining such requests. Members will often only become aware of a planning application going to a committee approximately 10 days before a meeting.
10. In view of this timescale it is considered that in some cases there will be insufficient time to convene a meeting of the Standards Committee. The approach suggested therefore in relation to dispensations to be determined by the Committee when there is insufficient time to convene a meeting, is that the Monitoring Officer will contact all members of the Committee and an Independent Person by email requesting their views on the application with a period which will enable a decision to be conveyed to the subject member within five working days from the date of receipt of the application. The decision will reflect the views expressed by the majority of members, subject to a minimum of five responses being received. If necessary, officers will telephone members to ensure that a minimum of five responses are received. In the event of an equality of differing views, the view of the Chairman of the Committee or in his/her absence the Vice-Chairman will prevail in accordance with meeting procedures which give the Chairman a second or casting vote when necessary.
11. Applications for dispensation being made under (a) and (d) of paragraph 7 above (ie the ones to be determined by the Monitoring Officer) will also be decided within five working days. The Monitoring Officer will seek the views of an Independent Person before making a decision.
12. Applications not falling within paragraphs 10 and 11 above will be submitted to a meeting of the Committee for determination.
13. A report on dispensation decisions taken under paragraphs 10 and 11 above will be made to the next available Committee meeting for formal recording and to enable members to undertake a regular review of the process.
14. It is suggested that members' attention be drawn to the agreed procedures by way of an item in the Council Bulletin including the attached Flowchart and application form.

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**EPPING FOREST DISTRICT STANDARDS COMMITTEE**

***APPLICATION FOR DISPENSATION***

**UNDER SECTION 33 OF THE LOCALISM ACT 2011**

**Name of applicant .....**

**Home address .....**

**Name of Council for which dispensation sought:**

**Epping Forest District Council or**

**..... Parish/Town Council (delete as appropriate)**

**Matter to be considered .....**

.....

**Nature of Member's Interest.....**

.....

**Date(s) and Meeting at which consideration will take place  
(if known)**

.....

**Quorum for Meeting: .....**



## NOTES

Section 31 of the Localism Act 2011 provides that, subject to Section 33, a member or co-opted member of a relevant authority with a disclosable pecuniary interest may not (a) participate, or participate further, in any discussion at a meeting, or (b) participate in any vote, or further vote, taken on the matter at the meeting.

Section 33 of the Localism Act 2011 provides:

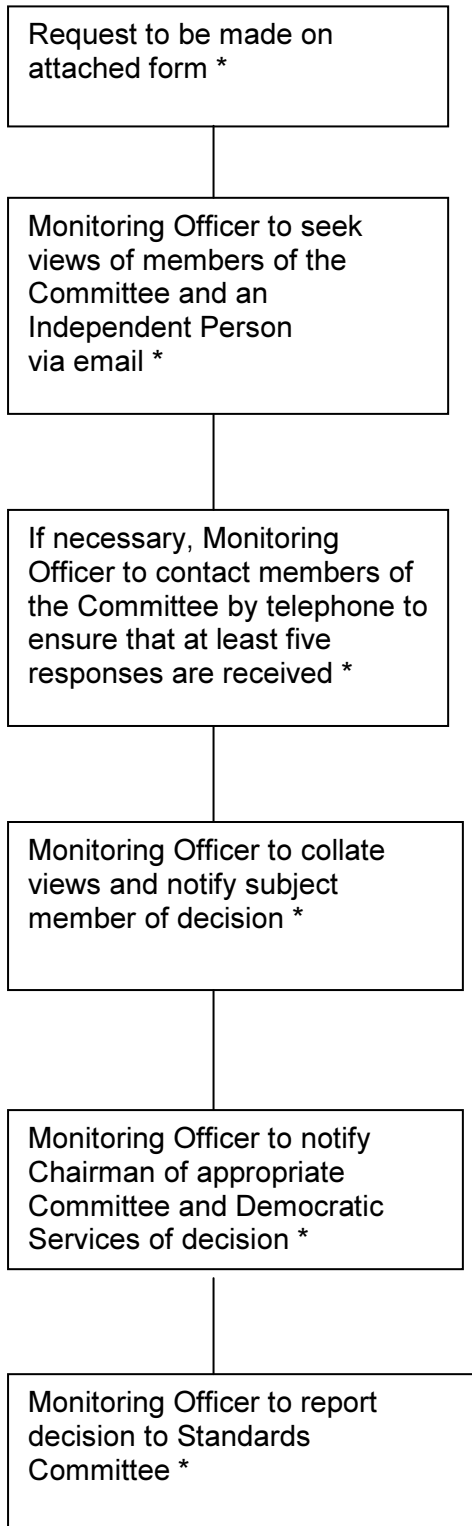
**“33 Dispensations from section 31(4)**

- (1) A relevant authority may, on a written request made to the proper officer of the authority by a member or co-opted member of the authority, grant a dispensation relieving the member or co-opted member from either or both of the restrictions in section 31(4) in cases described in the dispensation.
- (2) A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority –
  - (a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
  - (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
  - (c) considers that granting the dispensation is in the interest of persons living in the authority’s area,
  - (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority’s executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority’s executive, or
  - (e) considers that it is otherwise appropriate to grant a dispensation.
- (3) A dispensation under this section must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Section 31(4) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this section.”

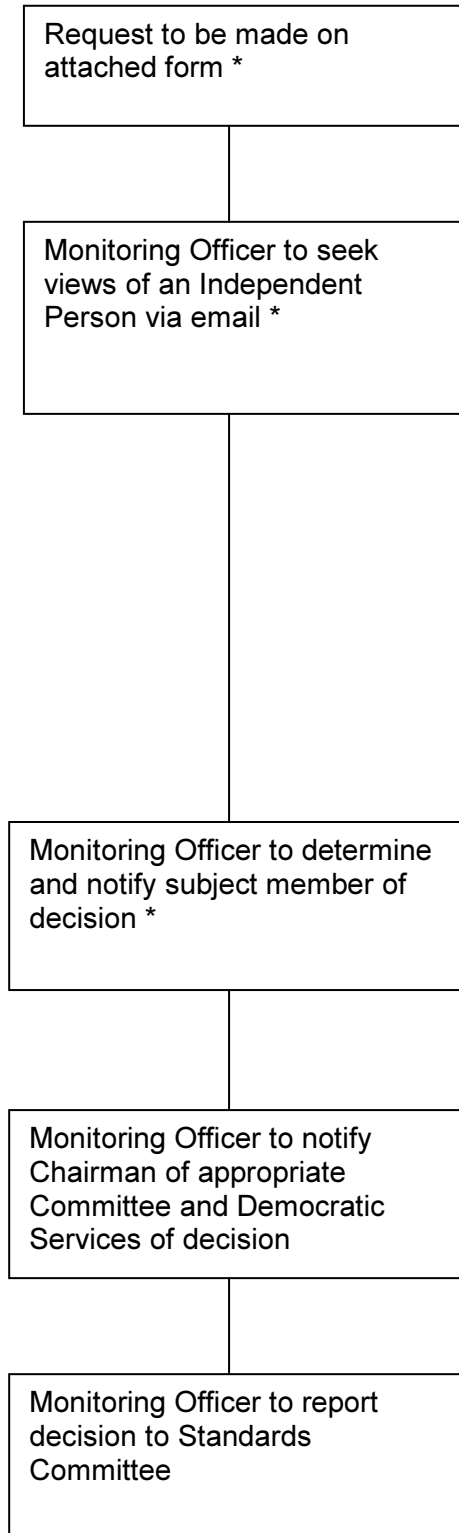
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**LOCALISM ACT 2011 – SECTION 33**  
**APPLICATIONS FOR DISPENSATION**  
**FLOWCHART**

**Applications determined  
by the Standards Committee  
(Section 33 (b), (c) or (e))**  
**When time does not allow for  
the convening of a meeting**



**Applications determined  
by the Monitoring Officer  
(Section 33(a) or (d))**



\* within a period of 5 Working Days

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# Agenda Item 7

## Independent Persons' Workshop, Camden Town Hall, 15<sup>th</sup> November 2012

Briefly, the speakers –

*Paul Hoey.* Worked for central government as the director in charge of strategy and stakeholder relations at Standards for England until its closure at the end of March. He is an acknowledged national expert on the local government standards framework for the last decade.

*Jonathan Goolden.* Jonathan is a solicitor and head of Public Law with Wilkin Chapman LLP. He has been a Monitoring Officer in two local authorities and was the clerk to a police authority. He has investigated over 150 councillor/member code of conduct cases. He is the chair of Humberside Police Authority's Standards Committee and the Independent Person for North Lincolnshire Council.

In this brief report, I have tried to focus on some of the detail affecting the work of the Independent Person (IP), and some questions which were posed.

- a. There are no national standards on how to be an IP. This raises the question – should IPs sign up to their own code of conduct. If so, this could underline their independence and their commitment to being 'squeaky clean' in the eyes of the public at large.
- b. In dealing with a complainant or a subject of a complaint, IPs must never give ADVICE. We should only ever *express a view* and, in doing so, must make it clear that it is just that. Giving advice as such can lead to subsequent problems for the Monitoring Officer (MO).
- c. At the assessment stage, give assurance to the subject about the processes involved but be unbiased, and in an independent and transparent way. The council should make such comments available to all parties. An IP may choose not to give a view or opinion – may defer doing so?
- d. Take notes of the discussion with the subject and forward to the MO by e-mail. (Confidentiality issues?) If an IP is not prepared to have a comment published, then don't make it.
- e. The local authority (LA) should establish a routine and consistent method of dealing with complaints. Should the MO share complaints immediately with IPs? The LA should only consult with one IP in each case. Should a LA only have one IP plus a reserve?
- f. The IP, as a citizen, has a role in maintaining standards by all. If serious deficiencies are thought to exist within the LA structure itself, with attendant sensitivities, it may be necessary to take this up direct with the Chief Executive. (Should this option be codified?) An IP is not a member of the Standards Committee.
- g. Do not have contact with the news media. If enquiries are received, they must be passed to the Press Office. How 'visible' should IPs be to the general public? Is there a written job description for IPs? Should there be, in order to satisfy Indemnity considerations?
- h. Know and understand your Council and its workings.

Roger Pratt  
Independent Person

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Department for  
Communities and  
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Our Ref: ER/BL/028504/12  
Your Ref: PU/IW/VMC/MC/5/8/5

14 NOV 2012

Dear Ian

## **CODE OF CONDUCT - APPOINTMENT OF INDEPENDENT PERSON**

Thank you for your letter of 2 October to the Rt Hon Eric Pickles MP, Secretary of State for Communities and Local Government about the appointment of Independent Persons and them not being former members of the Standards set up under the old regime. I am replying because my responsibilities include local government matters. I am sorry for the delay in replying.

I note the concerns of the Council with regards this issue. My predecessor Bob Neill, in his letter to Local Authority Leaders of 28 June, made it clear that there needs to be a clean break between the old and the new regime. The new regime must be seen as a fresh start, without there being anything from the old regime being in place. As you note in your letter, we have allowed a transitional period until June next year to allow the appointment of new Independent Person. The Government has no current plans to review the requirements, but is committed to carrying out a review three to five years after implementation.



**BRANDON LEWIS MP**

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## Epping Forest Local Councils Joint Standards Committee

### Constitution

#### **The Committee**

1. There shall be a Joint Standards Committee of all the parish and town councils in the Epping Forest District [the following local councils:  
Buckhurst Hill Parish Council  
Epping Town Council  
Lambourne Parish Council  
Loughton Town Council  
Moreton, Bobbingworth & The Lavers Parish Council  
Nazeing Parish Council  
North Weald Bassett Parish Council  
Ongar Town Council  
Stanford Rivers Parish Council  
Stapleford Abbots Parish Council  
Theydon Bois Parish Council  
Waltham Abbey Town Council  
“the original signatory councils”] to be known as the Epping Forest Local Councils Joint Standards Committee, hereinafter referred to as “The JSC”.
2. The JSC shall be a Joint Committee as provided for under sections 101(6) of the Local Government Act 1972 as amended.

#### **Purpose**

3. The purpose of the JSC shall be to provide for panels or sub-committees to consider complaints against parish and town councillors, as required under section 28 of the Localism Act 2011, and to consider such matters concerned with ethics and standards in general, the registration of interests, coordination with other authorities, adaptations of the Code, and such other matters as shall be thought appropriate by the monitoring officer.

#### **Membership**

4. Each Local Council shall appoint one representative (and a substitute if the Council concerned so wishes). Each representative (or the substitute if the representative is absent) will have one vote.

#### **Annual and Ordinary Meetings**

5. There shall be an annual meeting of the JSC in the month of November or December 2012 and in each November or December following

6. Ordinary meetings of the JSC shall be summoned by the Clerk, acting after consulting the Chairman and Monitoring Officer

### **Meetings of Panels**

7. The Clerk, acting on the advice of the Monitoring Officer, may summon meetings of panels of not fewer than 3 nor more than 5 members of the JSC in order to consider individual complaints or grouped complaints. In doing so, as far as possible, members shall be chosen who are
  - a. unconnected with any of the parties to a complaint; and
  - b. do not come from the local council against whose member the complaint is made.
8. The Chairman and Vice-Chairman of the JSC shall be appointed at the initial meeting of the JSC and thereafter each year by the annual meeting of the participating councils as is provided under paragraph 4 of this constitution.
9. The Clerk of the JSC shall be the clerk of the local council from which the chairman from time to time has been elected, save that if the Council concerned so requests, the Clerk from an alternative local council may be substituted. The Joint Committee shall nominate a pool of clerks who may act as substitutes

### **Governance & Related Issues**

10. The Monitoring Officer for the time being of the Epping Forest District shall be the Monitoring Officer for the JSC, and he or she may appoint such deputies or investigating officers as he/she thinks fit.
11. The rate to be offered to investigators in connection with complaints regarding breaches of the Code of Conduct by Parish or Town Councillors shall be as determined by the Monitoring officer and reported to each annual meeting of the JSC.
12. Service of individual members of the JSC or its panels shall be counted as approved duties of the local council of which they are a member, and any expenses shall met by that Council in accordance with that Council's remuneration scheme, if any.
13. The JSC shall appoint one or more Independent Persons as provided for by Section 28 of the Localism Act, and these shall normally be the same Independent persons as are appointed by the Epping Forest District Council. Any allowance or remuneration allocated to such independent persons by the District Council shall be deemed to cover duties performed for the Joint Committee.

14. An Independent Person as appointed under paragraph 13 may attend ordinary and annual meetings of the JSC as a non-voting member.
15. Except as provided for above, the means of proceeding of the JSC and its panels shall be insofar as it reasonably can be, as laid down for the Standards Committee for Epping Forest District Council as set out in its Constitution.

#### **Changes in Affiliated Councils**

16. A parish council which is not an original signatory council to this agreement for the JSC may give notice in writing to the Clerk and Monitoring Officer of its wish to join the JSC and accede to the benefits and obligations of the JSC. Such accession shall come into force 14 days after the date of such notice.
17. A parish council which wishes to cease to be a member of the JSC shall give written notice to the clerk and monitoring officer, and such notice shall become effective at the beginning of the Annual Meeting next following.

#### **Expenses**

18. Any expenses of the clerk appointed to act a Secretary to the JSC shall be borne by the Parish Council by which he or she is employed. If expenses for clerking or accommodation accrue out of any complaint, these may be recharged to the Council against whose member the complaint has been made.
19. The expenses of any investigation and any out-of-hours attendance by the Monitoring Officer and his/her deputy at an investigation shall be paid by the District Council and recharged at cost to the local council whose member is the subject of that investigation.
20. Where any notice is required by this constitution or by statute applied to the JSC, such notice shall be deemed to be delivered validly by email unless there is a statutory requirement for such a notice to be given in another way.

#### **Review of the Constitution**

21. The Committee may, at each Annual Meeting or at such other meeting as may be appropriate, review this Constitution subject to any advice from the Monitoring officer. An initial review to be undertaken by the Committee no later than 18 months from being first established.

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THESE MINUTES NOT YET CONFIRMED

**EPPING FOREST LOCAL COUNCILS**

**JOINT STANDARDS COMMITTEE**

**MINUTES of the inaugural meeting held on Wednesday 31<sup>st</sup> October 2012 in the Council Chamber, Loughton Town Council**

**Present:**

Cllr Mrs J Share-Bernia, Buckhurst Hill Parish Council  
Cllr W Breare-Hall, Epping Town Council  
Cllr C C Pond, Loughton Town Council  
Cllr Mrs R Padfield, Moreton, Bobbingworth & The Lavers Parish Council  
Cllr Mrs D Borton, Nazeing Parish Council  
Cllr B Surtees, Ongar Town Council  
Cllr R Russell, Stapleford Abbots Parish Council  
Cllr A Purkiss, Theydon Bois Parish Council  
Cllr Mrs L Mitchell, Waltham Abbey Town Council

**Also present:**

Colleen O'Boyle (Monitoring Officer – Epping Forest District Council)  
Mrs E K Walsh, Town Clerk, Loughton Town Council

**Apologies:**

North Weald Bassett Parish Council

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**1 Election of Chairman and Vice-Chairman for 2012-13**

Cllr Borton, as the member with the longest continuous service, took the chair for Agenda item 1 and invited nominations for Chairman.

Cllr C C Pond was proposed and seconded and, there being no other nominations, Cllr Pond was elected Chairman for 2012-13.

Cllr Pond took the chair and invite nominations for Vice-Chairman.

Cllr Surtees was proposed and seconded and, there being no other nominations, Cllr Surtees was elected Vice-Chairman for 2012-13.

**2 Constitution of the Epping Forest Local Councils Joint Standards Committee**

The Committee confirmed the Constitution of the Epping Forest Local Councils Joint Standards Committee (JSC) as drafted by Epping Forest Branch of the Association of Local Councils at its meeting on 13 June 2012.

**3 Membership of the Joint Standards Committee**

The membership of the JSC was confirmed as follows:

<b>Council</b>	<b>Representative</b>
Buckhurst Hill Parish Council	Cllr Mrs J Share-Bernia
Epping Town Council	Cllr W Breare-Hall
Lambourne Parish Council	TBC

Loughton Town Council	Cllr C C Pond
Moreton, Bobbingworth & The Lavers Parish Council	Cllr Mrs R Padfield
Nazeing Parish Council	Cllr Mrs D Borton
North Weald Bassett Parish Council	TBC
Ongar Town Council	Cllr B Surtees
Stanford Rivers Parish Council	TBC
Stapleford Abbots Parish Council	Cllr R Russell
Theydon Bois Parish Council	Cllr A Purkiss
Waltham Abbey Town Council	Cllr Mrs L Mitchell

#### **4 Clerk to the Joint Standards Committee**

It was NOTED that Mrs Walsh had agreed to act as Clerk for the Annual and Ordinary Meetings of the JSC but that clerking arrangements for the additional meetings called to consider complaints would need to be confirmed. The Committee agreed that the Chairman should discuss this position with Mrs Adriana Jones, Clerk to Moreton, Bobbingworth and The Lavers and Assistant Clerk to North Weald Bassett Parish Councils.

#### **5 Information from the Monitoring Officer**

Mrs O'Boyle confirmed that by signing up to the Constitution of the JSC, member councils had committed to paying their share of the costs for any investigation under the Code of Conduct involving one their own members.

These costs would include the investigation fee (at £85 per hour – the PPL rate), clerking costs and hall hire where appropriate. Recent investigations under the Code had led to fees accrued in the region of £3,000 - £5,500, but depended on the complexity of a complaint. Members were reminded that there was no fee for the initial enquiries into any complaint by the Monitoring Officer and her staff. Under delegated powers, the Monitoring Office could dismiss vexatious complaints without reference to the JSC.

Mrs O'Boyle requested that all member councils of the JSC provide her with a written undertaking that they will pay these costs promptly.

#### **6 Working Arrangements**

Members noted the following items:

- i. All initial approaches and matters regarding complaints under the Code of Conduct should be channelled through the Monitoring Officer and her staff.
- ii. The Clerk to the JSC would be briefed by Mr Simon Hill, the Local Assessments Officer at Epping Forest District Council.
- iii. Copies of agendas and minutes for the JSC should be provided to the Monitoring Officer.
- iv. Enquiries from parish and town councillors for dispensations should be sent initially to the Monitoring Officer. Under delegated powers, she would rule on those of a factual nature; the remainder would be referred to the JSC or a panel of the JSC for further consideration as allowed for under its Terms of Reference.
- v. Mrs O'Boyle confirmed she was prepared to attend meetings of the JSC to provide information and advice for any hearings. She may also bring Mr Simon Hill, who would normally carry out the initial enquiry into a complaint.

- vi. Epping Forest District Council would appoint independent persons but there should be no direct contact by the JSC.
- vii. Conciliation – local councils should strive to ensure that complaints did not reach the Monitoring Officer unless conciliation had been attempted locally or unless criminal in nature.
- viii. Independent persons were to receive an induction from the clerks on local council procedures.

Members thanked Mrs O'Boyle for attending the meeting.  
The meeting closed at 7.25pm.

Date of next meeting to be confirmed.

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<b>Council</b>	<b>Representative</b>	<b>Telephone</b>	<b>E-mail</b>	<b>Parish contact</b>
Buckhurst Hill Parish Council	Cllr Mrs Joanne Share-Bernia			
Epping Town Council	Cllr Will Breare-Hall			
Lambourne Parish Council	Cllr Richard Witham			
Loughton Town Council	Cllr Chris C Pond			
Moreton, Bobbingworth & The Lavers Parish Council	Cllr Mrs Rosemary Padfield			
Nazeing Parish Council	Cllr Mrs Daphne Borton			
North Weald Bassett Parish Council	Cllr Nigel Bedford			
Ongar Town Council	Cllr Brian Surtees			
Stanford Rivers Parish Council	Cllr John Glover			
Stapleford Abbots Parish Council	Cllr Ray Russell			
Theydon Bois Parish Council	Cllr Anthony Purkiss			
Waltham Abbey Town Council	Cllr Mrs Lillian Mitchell			
EFDC	Colleen O'Boyle			
EFDC	Ian Willett			
EF ALC	Ash Tadjrishi (ETC)			

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## FILE NOTE

### INFORMAL MEETING OF PARISH COUNCIL REPRESENTATIVES WITH MONITORING OFFICER/DEPUTY MONITORING OFFICER EFDC

**Venue:** Civic Offices, Epping

**Date** 29 October 2012

**Time:** (2.30 – 4.15 p.m.)

**Attendance:** **Representing Parish Councils**

**Councillor D Borton – Nazeing Parish Council**  
**Councillor S Jackman – Ongar Town Council**  
**Councillor C Pond – Loughton Town Council**  
**Councillor R Russell – Stapleford Abbots Parish Council**  
**Councillor B Surtees – Ongar Town Council**  
**A Tadjrishi – Town Clerk, Epping Town Council**

**Representing Epping Forest District Council**

**C O'Boyle – Monitoring Officer**  
**I Willett – Deputy Monitoring Officer**

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#### 1. PURPOSE OF MEETING

C O'Boyle explained that the meeting had been called to discuss working arrangements with the Epping Forest Joint Parish Standards Committee (JSC) and any other issues related to the standards arrangements now operating within the District.

#### 2. JOINT PARISH STANDARDS COMMITTEE

2.1 I Willett explained that the current position on affiliation to a Standards Committee within the District was as follows: six Parish Councils had affiliated to the EFDC Standards Committee, 12 had affiliated to the JSC and the remaining 6 had either indicated they did not wish to affiliate to any Standards Committee or had not replied.

2.2 Parish Council representatives reported on the current position concerning the JSC as follows:

(a) formal adoption of the JSC constitution was due to take place at a meeting of its meeting on 31 October 2012;

(b) the appointment of individual representatives by affiliated parish and town councils had been dealt with through the agenda for the meeting on 31 October 2012 where recipients had been requested to send one representative;

(c) that the appointment of a clerk to the Committee had not been finally determined but in the meantime the Town Clerk for Loughton Town Council had agreed to clerk the first meeting of the JSC; and

(d) that those parish councils who had affiliated to the JSC would not be asked to any further documentation concerning this arrangement, as it would be taken as read that the previous responses to I Willett's letter regarding their preferences was sufficient commitment.

A copy of the latest constitution for the JSC which was due to be submitted to the meeting on 31 October was noted. Affiliated Councils would be asked to adopt this constitution on the basis that their individual sovereignty on standards would be vested in the JSC.

### **3. JOINT WORKING – JSC AND THE EPPING FOREST DISTRICT STANDARDS COMMITTEE**

The meeting discussed a number of detailed points on joint working arrangements between the Monitoring Officer, the EFDC Standards Committee and the JSC as follows:

#### **(a) Delegated Powers**

The JSC will be seeking resolutions from each of the 12 affiliated parish councils to reflect their willingness for the JSC to deal with standards issues on their behalf.

In terms of the relationship between the Epping Forest District Standards Committee and the JSC, it was agreed that the EFDC Committee should be asked to delegate its powers to the JSC along with any consequential delegation by the Monitoring Officer.

#### **(b) Costs of Investigations**

In respect of the recovery of investigation costs from the parish councils affiliated to JSC Parish representatives confirmed that this requirement in the JSC's constitution would remain and that this would be emphasised at the first meeting with relevant parish councils being asked to confirm their acceptance of this arrangement.

#### **(c) Complaint Handling**

It was agreed that all processes relating to complaints should be dealt with in the first instance by the Monitoring Officer and her staff including liaison with independent persons. Parish council representatives agreed that the JSC should only become involved in complaints when investigation reports are received and adjudications on breaches of the Code was pending.

#### **(d) JSC Contact**

The JSC was asked to confirm the name of permanent clerk for the JSC for contact purposes. It was agreed that the individual concerned should have suitably experience to be able to cope robustly with the situations which can arise during the complaints process.

#### **(e) Dispensations**

The meeting noted that some dispensations were delegated to the Monitoring Officer by the EFDC Standards Committee and it was agreed that this arrangement could be replicated for the JSC parish councils. For dispensations applications which were



not delegated to the Monitoring Officer, it was agreed that these should be referred to the JSC.

**(f) Registration of "Sensitive" Interests**

It was agreed that as these cases were all delegated to the Monitoring Officer for decision she should deal with all parish councils in that way for all parishes, whether affiliated to the JSC or not.

**(g) Independent Persons**

C 'Boyle and I Willett explained that their intention was to manage relations with the independent persons from the District Council so as to ensure that if they were to be involved in any complaint or in any other matter they were properly briefed and did not receive ad hoc telephone calls from complainants or subject members without warning.

Parish council representatives supported this as the most appropriate method. It was explained that in some circumstances, if an adjudication came before the Sub-Committee of the JSC in connection with a particular case, there would be a need for a direct involvement between the JSC and an independent person. IT was agreed that this would be managed at District Council with the clerk for the JSC.

**(i) Attendance at JSC Adjudication Hearings**

It was agreed that a representative of the Monitoring Officer should attend all hearings conducted by JSC members initially but that as the JSC gain more experience of how to deal with these cases, it might be possible to limit Monitoring Officer involvement to potentially serious or difficult cases.

**(j) Attendance at JSC Meetings**

It was agreed that the Monitoring Officer or her representative should attend meetings of the main Committee as and when necessary, either at Monitoring Officers discretion or at the request of the JSC.

**(k) JSC – Training Requirements**

It was agreed that further training needed to be given to members of the JSC in the Code of Conduct and particularly on complaint handling once the membership was known.

**4. REVIEW OF STANDARDS ARRANGEMENTS**

Parish council representatives signified that they would contribute to the proposed review of the new standards arrangements which was to be undertaken by the EFDC Standards Committee in 12 months' time.

Parish representatives explained that their review period had been set at 18 months by the JSC and the meeting agreed that this would not necessarily be a problem. EFDC suggested that the JSC should give written comments to the Monitoring Officer for consideration at that time.

**5. EPPING FOREST DISTRICT STANDARDS COMMITTEE – PARISH COUNCIL REPRESENTATION**

Parish Council representatives were informed that letters had been sent to the six parish councils that had joined with the EFDC Standards Committee offering three non voting seats and had asked them to agree the allocation of places amongst themselves. It was noted that it had been suggested that a geographical grouping of the six Parish Councils might assist in clarifying the three members who would be attending.

**6. EALC BRANCH MEETING – 31.10.12**

Parish council representatives reported that Mr Glen Chipp, the new Chief Executive for EFDC had signified that he would be attending this meeting.

Parish council representatives indicated that it would be useful if the Monitoring Officer could also attend and it was agreed that the Monitoring Officer and/or the Deputy Monitoring Officer should do so.

The proposed agenda for the meeting was noted.

**7. ANY OTHER BUSINESS**

No items for discussion.

**8. NEED FOR FURTHER MEETINGS OF THIS GROUP**

It was agreed that a further meeting of this group to review progress with standards arrangements should be held in approximately six months' time.

# Epping Forest Assessments Subcommittee – Active Cases

## As at: 30 November 2012

Year	No.	Case reference no.	Case status	Received - (dd/mm/yy)	Investigator
2012	9	EFDC 5/2012	<p>NEW – linked to 7/2012</p> <p>Complaint by District Councillor about the conduct of a Parish Councillor at an Area Planning Subcommittee in March. The Parish Member involved had to be asked to leave meeting after verbal altercation.</p> <p>Complaint made on basis of sections 1, 2(b) and (c) and 5 of the CoC</p> <p>Meeting was a webcast meeting.</p> <p>Assessment Subcommittee held 9 May – referred to investigation on basis of para 3(1) and 5</p> <p><b>Referred to ECC Legal for investigation</b></p> <p><b>December update:</b></p> <p>Draft report was due 30 November – to be updated orally</p>	10/4/12	E Whitfield - ECC
2012	11	EFDC 7/2012	<p>linked to 5/2012</p> <p>Complaint by District Officer about the conduct of a Parish Councillor at an Area Planning Subcommittee in March. The Parish Member involved had to be asked to leave meeting after verbal altercation.</p>	10/4/2012	E Whitfield - ECC

			<p>Complaint made on basis of sections 1, 2(b) and (c) and 5 of the CoC</p> <p>Meeting was a webcast meeting.</p> <p><b>Assessment Subcommittee held 9 May – referred to investigation on basis of para 3(1) and 5</b></p> <p><b>Referred to ECC Legal for investigation –</b></p> <p><b>December update:</b></p> <p>Draft report was due 30 November – to be updated orally</p>		
2012	12	EFDC 8/2012	<p>Complaint by three Councillors (Two Parish and One District) about the conduct of two Parish Councillors. Incidents complained of relate to:</p> <p>(i) A discussion between a Councillor and a senior local public figure during which the Councillor is alleged to have used inappropriate language; and</p> <p>(ii) That during a Parish Council meeting the supporting of offensive comments made by the public directed at other members.</p> <p>(iii) Rude remarks made to another member; and</p> <p>(iv) Threatening words/behaviour towards another Parish Councillor.</p> <p>Referred for investigation</p> <p><b>December update:</b></p> <p><b>MO has accepted offer of investigation by Brian Keane (28/11/12)</b></p>	1/10/12	Brian Keane