

Minutes

Name of meeting	STANDARDS COMMITTEE
Date and time	MONDAY, 17 SEPTEMBER 2007 COMMENCING AT 6.00 PM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	<p><u>Independent Members:</u></p> <p>Mr M Southwell (Chairman), Mr B Claxton, Mr K Fagan, Mr G Hibberd</p> <p><u>Representative of Town and Parish Councils:</u></p> <p>Mr D Russell, Mr R Mew (1st Deputy), Mr R Day (2nd Deputy)</p> <p><u>Isle of Wight Council Members :</u></p> <p>Cllrs Mike Cunningham, Erica Oulton</p>
Officers Present	Julia Corkey, Chris Mathews, Paul Thistlewood
Also present	Captain A Brindle, Mr P Tautz, Mrs S Tudor Smith, Cllr George Cameron Cllr John Hobart
Apologies	Cllr Heather Humby, Cllr Muriel Miller
	<p>The Chairman welcomed Captain Brindle, Mr Tautz and Mrs Tudor Smith to the meeting. Their appointments to the Committee were due to be approved by full Council on 19 September 2007.</p>
14.	<p>Minutes</p> <p><u>RESOLVED :</u></p> <p>THAT subject to Minute 11 (f) resolution (iv) being amended through the deletion of the word "lies" and Minute (g) the abbreviation ACSeS being explained as the Association of Council Secretaries and Solicitors, the Minutes of the meeting held on 16 July 2007 be confirmed.</p>
15.	<p>Declarations of Interest</p> <p>There were no declarations received at this stage.</p>

16. **Update from the Chairman**

The Chairman indicated that since the last meeting he had spoken with a member of the public who had raised concerns relating to a Parish Council. It was not yet known whether this had resolved the issue. A letter had been sent by the Chairman to all Town and Parish Councillors and Clerks who had not attended a training session on the Code of Conduct. A large number of positive replies had been received. A further session was to be held on 24 September 2007. Members were also made aware of the forthcoming meeting of the Regional Independent Members' Forum for Standards Committees. Any agenda item could be raised through Mr Claxton who was the Island's representative.

17. **Reports of the Interim Director of Legal and Democratic Services**

(a) Feedback on Code of Conduct Training

A full report on the Code of Conduct training would be submitted to the next meeting of the Committee. It was suggested that this should include the questions raised at each session which provided good learning points.

RESOLVED

THAT the matter be noted.

(b) Report Back on the Progress of Sandown Town Council

The Committee considered the joint report of Mr Fagan, Independent Member, and Mr Mathews, Deputy Monitoring Officer on action taken on the recommendations made by the Committee following its consideration of a report by the Monitoring Officer from Southampton City Council on issues relating to Sandown Town Council. This had followed his investigations into a formal complaint that had been made in relation to conduct of a member of the Town Council.

Members were advised of how the recommendations had been implemented and this had also involved a professional mediator and the Clerk of Wootton Bridge Parish Council.

This had led to a better understanding within the Town Council of roles and responsibilities.

RESOLVED

THAT Mr Keith Fagan and Mr Chris Mathews be thanked for the work undertaken with Sandown Town Council and that the report be adopted.

(c) Procedures for Dealing with Cases Referred to the Standards Committee

The Committee was advised that it was necessary to review its procedures for dealing with local determinations. The Interim Director outlined the principal changes including hearings to be conducted by a Sub Committee of three members from the Committee. The membership of the Sub Committee would be delegated to the Interim Director in consultation with the Chairman.

Members discussed the future increase in the number of Town Councils on the Island and whether this should be taken into account in the number of representatives on the Committee from the Association of Town and Parish Councils.

RESOLVED

- (i) THAT the revised procedures as attached at Appendix 1 to the report be approved.
- (ii) THAT a Sub Committee of three members be established to hear and determine all such hearings.
- (iii) THAT the Interim Director of Legal and Democratic Services be authorised, in consultation with the Chair of the Committee, to appoint any three members to the Sub Committee provided that at least one is an Independent Member (who will Chair the Sub Committee) and that in cases affecting a Town or Parish Councillor at least one of the other members is a representative from the Town or Parish Councils.
- (iv) THAT the Chairman liaise with the IW Association of Town and Parish Councils on a possible future increase in the number of representatives on this Committee.

18. **Workplan**

The Committee was made aware of specific items that would be considered at future meetings in addition to the normal standing items.

RESOLVED

THAT the workplan be noted.

19. **Updates from Monitoring Officer**

The Deputy Monitoring Officer reported that there were three issues which required discussion by the Committee in private session. One related to a matter that involved a report due to be considered by the Planning Committee on 25 September 2007. The Chairman had

received a letter from the Leader of the Council which he read out. In addition he had requested that a copy of the report which was to be debated at the Planning Committee be circulated.

In considering the need to exclude the public and press from the meeting the Committee members discussed the position of the three proposed new members whose appointment would not be confirmed until later that week.

20. **Exclusion of Public and Press**

- (i) THAT under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting on the grounds that there was likely to be disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A (as Amended) of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (ii) THAT Captain Brindle, Mr Tautz and Mrs Tudor Smith be permitted to remain in the meeting.

21. **Update from the Deputy Monitoring Officer**

(a) Case SC1/07 – Planning Committee

Prior to debating the matter Councillor Mike Cunningham declared a personal interest due to his membership of the Planning Committee.

The Chairman outlined the key issues involved in this case and the background to the report which was to be considered at the Planning Committee the following week. To enable members of the Committee the opportunity of reading the report a short adjournment took place. During this Captain Brindle, Mr Tautz and Mrs Tudor-Smith left the meeting for this item so not to cause any conflict with their proposed appointment at full Council.

The Committee considered all the relevant facts and the action that should be taken. The Committee considered that, in their view, there had been a prima facie breach of the code of conduct.

RESOLVED

THAT a report be made to the Standards Board for England by the Chairman of the Committee in consultation with the Deputy Monitoring Officer.

(b) Case SC02/07

The Deputy Monitoring Officer referred to a matter that had been brought to the Council's attention through the Whistleblowing Policy.

RESOLVED

THAT the Monitoring Officer be requested to commence an investigation into this case.

(c) Case SC03/07

The Monitoring Officer reported on an on-going case being investigated by the Standards Board for England. A draft final report had been received from the Ethical Standards Officer which was confidential.

RESOLVED

THAT the update be noted.

CHAIRMAN