

STANDARDS COMMITTEE

Minutes of the meeting held on Tuesday 4 October 2011 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT:

Councillors: Ms Dean, Ms De-Lara-Bond, Mrs Falp, Mrs Knight, Mrs Tyrrell and Williams.

Independent representatives: Mr C Purser (Chairman).

Parish and Town Council representatives: Councillors: Cooke, Mrs Gordon, Owen and Smart.

Officers: Mr G Stephens (Development Control Manager), Mr A Jones (Deputy Chief Executive and Monitoring Officer) and Mr G Leach (Civic and Committee Services Manager and Deputy Monitoring Officer).

Apologies for absence were received from Councillors Davies and Kirton; and Independent Representatives Mr C Bennett, Miss J Ratcliffe and Mr P Willers.

14. DECLARATIONS OF INTEREST

There were no declarations of interest.

15. MINUTES

The minutes of the meeting held on 20 July 2011 were taken as read and signed by the Chairman as a correct record.

16. REVIEW OF DEVELOPMENT REVIEW FORUM

The Committee considered a report from Development Services that detailed how the Council's Development Review forum had progressed since its introduction 18 months ago.

The Planning Committee considered at its meeting of 6 January 2010 to introduce Councillors involvement at the pre-application stage of development (i.e. before submission of a planning application to the Council). A copy of the report was attached as an Appendix to the report which set out the justification and purpose of Councillors involvement. The Committee had resolved to approve a protocol for the operation of a Development Forum (attached as Appendix B). This protocol came into force in April 2010 and set out how the Forum should operate in practice.

The Forum had met on four occasions in its first 18 months, with a number of requests outstanding for future meetings. The Forum had received presentations from the landowners/prospective developers of:

- the Former Ford Foundry in Leamington Spa;
- the Warwickshire Police Headquarters in Leek Wootton;
- Quarry Farm, Old Milverton; and,
- land at Warwick Gates, Warwick.

STANDARDS COMMITTEE MINUTES (Continued)

The presentations were available to view on the District Council's website, along with a summary of the questions and answers from the Forum. Members of the Standards Committee had been invited to attend the most recent Forum on 20 September, regarding land at Warwick Gates, in order to observe its operation.

The Forum appeared to be working well and a number of prospective developers had taken up the opportunity to attend. Positive feedback had been received from those developers who had presented to the Forum. Officers were happy with its operation, although there were some minor changes to improve its operation which would be considered in due course.

The approach of the Council to its Forum was consistent with the Government's recently published Draft National Planning Policy Framework which encouraged pre-application engagement with developers.

It was outlined to the Committee that the Council had received positive feedback from developers and other parties who had taken part.

To enable more members of the Committee to attend a review forum, the Committee felt this item should be brought back before them in February.

RESOLVED that the report be brought back to the Committee in February 2012.

(Councillor Williams arrived during this item)

17. LOCAL STANDARDS FRAMEWORK

The Committee discussed, at the request of Councillor Williams, the powers of a Sub-Committee to impose sanctions on elected Members who were found to be in breach of the Code of Conduct, to which they signed up on appointment, in light of the proposals contained within the Localism Bill; as well as the composition of Sub-Committees.

The Chairman explained to the Committee that he was happy for this to be discussed but that no debate should take place on the merits of any individual case and outcomes of such cases.

Councillor Williams outlined his concerns and referred to the recent Hearing involving Councillor Dhillon. The Chairman reminded him that individual cases should not be discussed and asked the Monitoring Officer to outline the position of the Council in relationship to the law.

The Monitoring Officer explained that the Standards Committee (England) Regulations 2008 placed specific requirements on the Council with regard to the membership of the Standards Committee, the determination of complaints about Councillors and, where appropriate, the issuing of sanctions. Any move away from this legislation could be considered unlawful at this stage and it would not be advisable for the Council to do this. At present the final position of the Localism Bill was unclear and was being debated by parliament.

STANDARDS COMMITTEE MINUTES (Continued)

It was also highlighted to the Committee that representations had been made to Government regarding the removal of the Code of Conduct by various national associations because of the significant concern about the potential impact of this. Both the Chairman of the Committee and Monitoring Officer explained that it was a reasonable expectation that members should aim to set a good standard of conduct in the same way that members expected good conduct from their employees.

Members of the Committee took the opportunity to commend officers for their recent work on complaint cases about Councillors because it was recognised how difficult and challenging this could be for officers.

The Civic and Committee Services Manager and Deputy Monitoring Officer, at the request of the Chairman, circulated the decision notice for the Hearing into the conduct of Councillor Dhillon which also detailed the costs of investigations into the conduct of Councillors. It was also explained to the Committee that in the last year there had been a significant increase in the number of complaints received. In addition, there was concern about the number of complaints received about the conduct of District Councillors which was significantly higher than the proportion relating to Parish/Town Councils, when normal expectation would be the reverse of this because there were more Parish/Town Councillors.

The Chairman thanked officers for their support on these matters and highlighted to members the cost of dealing with complaints made about Councillors and how members should therefore always be mindful of the Code of Conduct.

RESOLVED that the presentation be noted.

18. **WORK PLAN**

The Committee considered its work plan for the ensuing municipal year.

RESOLVED that

- (1) the work plan be noted; and
- (2) the meeting on 2 November be used for training on procedures for hearings.

(The meeting ended at 7.00 pm)