

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 13 OCTOBER 2014

Councillors Present: Peter Argyle (Chairman), Chris Bridges, Barry Dickens, Adrian Edwards, Mollie Lock and Gwen Mason (Vice-Chairman)

Also Present: David Holling (Head of Legal Services) and Moira Fraser (Democratic and Electoral Services Manager)

Apologies for inability to attend the meeting: Councillor Virginia von Celsing

Councillor Absent: Councillor Garth Simpson

PART I

7. Minutes

The Minutes of the virtual meeting held on 16 June 2014 were approved as a true and correct record and signed by the Chairman.

8. Declarations of Interest

There were no declarations of interest received.

9. Monitoring Officer's Quarterly Update Report to the Standards Committee - Quarter 2 of 2014/15

The Committee considered a report (Agenda Item 4) concerning an update on local and national issues relating to ethical standards and to bring to the attention of the Committee any complaints or other problems within West Berkshire.

The Monitoring Officer, explained that the membership of the Standards Committee and the Advisory Panel and the names of the Independent Persons had been confirmed at the May 2014 Council meeting. There was still a vacancy for an Independent Member on the Advisory Panel.

Since June 2014 Parts 3 (Scheme of Delegation) and 7 (Regulatory and Other Committees) had been amended following a review by the Governance and Audit Committee and full Council. The Monitoring Officer, under delegated authority, had also made minor amendments to Part 3 of the Constitution (Scheme of Delegation).

During Quarter 2 of 2014/15 three complaints about potential breaches of Codes of Conduct were received. Two of these complaints pertained to Parish Councillors (NPC3/14 and NPC4/14) and the other, while referring to a single incident, was a complaint made about two District Councillors (NDC2/14).

The Monitoring Officer in consultation with the Independent person concluded that a breach had occurred on respect of NPC3/14. The findings were published on the Council's website, notice was placed in a local newspaper and the clerk raised the issue at the next parish council meeting and reference to the complaint was made in the minutes of that meeting.

The Monitoring Officer, in consultation with the Independent Person, concluded that there might be a breach in respect of NPC4/14. An independent investigator was therefore

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appointed and would be investigating the matter on behalf of the Council. If the investigator was to identify evidence of a breach the matter would be referred to the Advisory Panel to consider initially and they would then make a recommendation to the Standards Committee.

In relation to NDC2/14 the Monitoring Officer, in consultation with the Independent Person, concluded that no further action should be taken in respect of the allegations against one of the District Councillors. They did, however, find that the second Councillor had breached West Berkshire Council's Code of Conduct. The matter was published on the Council's website and a notice was placed in the Newbury Weekly News. The Councillor was also asked to send a letter of apology to one of the Councillors involved in the complaint. It was confirmed that the letter of apology had been sent.

It was noted that no dispensations were requested or granted during quarter 2.

Appendix D (Gifts and Hospitality) to Part 13 of the Constitution (Codes and Protocols) required regular updates of declarations of gifts and hospitality to be made to the Standards Committee. One declaration had been made in quarter 2. It was noted that a requirement of the protocol was that prior to accepting any hospitality with a value exceeding £25 Councillors were required to seek authorisation from the Monitoring Officer prior to accepting the hospitality. To date no queries of this nature had been received by the Monitoring Officer. It was therefore proposed that the Committee consider asking the Monitoring Officer to write to all Members and remind them of this requirement. Members concurred with this suggestion and felt that this would be timely given that this was the lead up to the Christmas season.

RESOLVED that:

- **the report be noted;**
- **the Monitoring Officer to write to all Members of West Berkshire Council reminding them of their obligations in respect of Gifts and Hospitality under the Code of Conduct.**

10. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 8.10.4 of the Constitution also refers.](#)

11. Update on Previous Standards Complaint

The Committee considered an exempt report (Agenda item 6) concerning the outcome of court processes and the impact of the court's decision on an earlier Standards Committee's decision.

RESOLVED that:

- **The recommendations as set out in the exempt report be implemented.**

(The meeting commenced at 5.00 pm and closed at 5.18 pm)

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CHAIRMAN

Date of Signature