

# STANDARDS COMMITTEE

Friday 9<sup>th</sup> March 2007

**PRESENT :** The Chair (John Lay), Councillors Dhall, Hollander, Sanders and Sargent; Chris Turner (independent representative).

**OFFICERS PRESENT :** Jeremy Thomas (Head of Legal and Democratic Services and Monitoring Officer), William Reed (Democratic Services Manager), Mike Newman (Head of Corporate Secretariat) and Helen Lynch (Articled Clerk, Legal and Democratic Services Business Unit).

## 36. APOLOGIES FOR ABSENCE

There were no apologies for absence.

## 37. MEMBERSHIP OF THE COMMITTEE

The Committee welcomed Councillor Sargent to the meeting as the representative of the Independent Group on the Council.

The Chair reported the resignation of John Batey, the Parish Council representative on the Committee. The Committee expressed its appreciation of the contribution of Mr. Batey to the work of the Committee and asked that a letter expressing the Committee's appreciation of his services over the years be sent to him.

## 38. MINUTES

- (1) Resolved that the minutes (previously circulated) of the meeting of the Committee held on 1<sup>st</sup> December 2006 be confirmed as a correct record.
- (2) With reference to Minute 25 (2) that related to training on local hearings, the Democratic Services Manager reported that Councillor Hollander, John Batey and Helen Lynch had all attended at the West Oxfordshire District Council Offices on 11<sup>th</sup> December 2006.

## 39. DECLARATION OF INTERESTS

Resolved to note the contents of the guidance note (previously circulated and now appended) on declaring interests at meetings. No interests were declared.

#### **40. URGENT BUSINESS**

There was no urgent business.

#### **41. OMBUDSMAN REPORT – PLANNING MATTER**

The Chief Executive submitted a report (previously circulated and now appended).

With the Committee's agreement Mr. Feeney, a local resident, addressed the meeting. Mr. Feeney made two principal points. First, he said that he had had some difficulty in obtaining sight of the Ombudsman report although it was supposed to have been on public deposit at the Council's offices. Second, he said that it was possible to identify the complainant through the planning reference number that appeared on the plans annexed to the Ombudsman's report, and thence through examination of the public case files held in the Planning Business Unit.

The Monitoring Officer commented upon the points made. He said that the report had been on public deposit. He further mentioned that the Ombudsman had a discretion to keep complaints and other personal details of complainants confidential. The Ombudsman did not have a duty of confidentiality.

Resolved:-

- (1) to note the Ombudsman's report;
- (2) to ask the Chief Executive to:-
  - (a) raise with the Ombudsman's office the inclusion in his report of an identifying planning application number;
  - (b) consider with the Planning Services Business Manager the best way to keep records of complaints of maladministration in relation to planning matters.

#### **42. OMBUDSMAN REPORT – HOUSING RENTS**

The Chief Executive submitted a report (previously circulated and now appended).

Resolved:-

- (1) to note that, as a result of the Ombudsman's report, the Council's internal auditors were to undertake the reviews recommended by the Ombudsman as set out in paragraph 6 of the report;

- (2) to note the contents of paragraphs 3-5 of the report that referred to financial reimbursements in consequence of the Ombudsman's recommendation.

#### **43. MEMBERS CODE OF CONDUCT**

The Monitoring Officer submitted a report (previously circulated and now appended) together with a supplementary paper (circulated, now appended) that contained his detailed comments on the draft Code.

Resolved:-

- (1) to agree the various comments contained in the supplementary paper;
- (2) in relation to paragraph 13 of the draft Code (sensitive information), to support the principle but to record at its practical implementation and maintenance needed considerable thought;
- (3) that the language as to gender in which the Code was couched should be consistent with new legislative practice generally;
- (4) that in the Committee's view the draft Code was poorly drafted in a number of places and this would lead to difficulty of interpretation;
- (5) that in the Committee's view the draft Code was overly reliant in its construction on separate guidance whereas the Code should be self contained with minimal need to refer to other documents;
- (6) that in the Committee's view the draft Code was not a simple document to understand and apply whereas the Government had announced that its intention was to put in place a clearer and simpler Code;
- (7) that the coming into force of the Code should be delayed to coincide with the enactment of the Local Government and Public Involvement in Health Bill;
- (8) to ask the Head of Legal and Democratic Services to review the advice given to members on declaring interests that appeared on Area Committee agenda to see whether it needed to be refined in order to cover issues of bias and pre-determination.

#### **44. STANDARDS BOARD FOR ENGLAND – DECISION NOTICE**

Resolved to receive and note the contents of the report (previously circulated and now appended) of the Monitoring Officer.

#### **45. STANDARDS BOARD FOR ENGLAND – INVESTIGATIONS**

Resolved to receive and note the contents of the report (previously circulated and now appended) of the Monitoring Officer.

#### **46. COMPLAINTS MONITORING – REVENUES AND BENEFITS**

Resolved to receive and note the contents of the report (previously circulated and now appended) of the Chief Executive.

#### **47. INDEPENDENT MEMBERS ON THE COUNCIL'S STANDARDS COMMITTEE**

The Monitoring Officer reported that the Council was currently advertising that there were vacancies for independent members on the Committee and that applications were invited. The closing date for applications was 16<sup>th</sup> March.

Resolved that interviews of applicants for independent member on the Committee be held on Thursday 29<sup>th</sup> March 2007 and that Councillors Hollander, Sanders and Sargent be appointed to conduct the interviews.

#### **48. FORTHCOMING EVENTS**

(a) Standards Board Conference

Resolved that the Chair of the Committee be appointed to attend the Standards Board for England 2007 Annual Assembly on 15-16<sup>th</sup> October 2007, and to note that the Monitoring Officer would also attend.

(b) Standards Board Roadshows

The Democratic Services Manager reported that the Standards Board for England was arranging Roadshows across the country in June. The purpose of the Roadshows was twofold. First, to introduce the revised Code of Conduct. Second, to discuss any concerns there might be about the local filter system for complaints, likely to become operative in 2008. The venues most conveniently located to Oxford were Birmingham on 14<sup>th</sup> June, Swindon on 26<sup>th</sup> June and London on 28<sup>th</sup> June. Further details would be made available as soon as they were received.

Resolved to note the position.

(c) Independent Members' Forum

Resolved to note that the next meeting of the Independent Members' Forum would be held on Friday 20<sup>th</sup> April 2007 at the offices of West Berkshire Council in Newbury and that, subject to other commitments, Chris Turner was prepared to attend.

(d) County Council's Standard Committee

The Democratic Services Manager reported that the County Council's Standards Committee was holding a stakeholder workshop on 21<sup>st</sup> March 2007 at County Hall to assist it in drawing up a work programme for the year that "reflects issues which most concern stakeholders and the wider community". The Committee would like to identify three or four things to focus upon in the next Council Year. The Leader of the City Council had received the Council's invitation to attend but was unable to do so.

Resolved to ask the Democratic Services Manager to liaise with the Leader about who, if anyone, should attend the workshop and what might be suggested as a focus for the County Committee in the forthcoming Council Year.

**49. DATES OF FUTURE MEETINGS**

Resolved:-

- (1) to note that the Committee was scheduled to meet on the following dates in the 2007/08 Council Year:-

Friday 8<sup>th</sup> June 2007  
Friday 7<sup>th</sup> September 2007  
Friday 7<sup>th</sup> December 2007  
Friday 7<sup>th</sup> March 2008

- (2) that for the Council Year 2007/08, subject to confirmation at the June meeting, the Committee's meetings should start at 10.00 am.

The meeting commenced at 10.30 am and closed at 12.45 pm.