

MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 5 JULY 2023,
AT 7.00 PM

PRESENT:

DISTRICT COUNCIL MEMBERS:

Councillors V Burt, N Clements, A Parsad-
Wyatt, V Smith, T Stowe and R Townsend

INDEPENDENT PERSON:

Nicolas Moss

ALSO PRESENT:

Councillors P Furness, G Hill and J Kenyon

Councillor G Hill

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer

79 APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor Smith and seconded by Councillor Clements, that Councillor Townsend be appointed Vice-Chairman of the Standards Committee for 2023/24. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Townsend be appointed as Vice-Chairman of the Standards Committee for 2023/24.

80 CO-OPTION OF TOWN/PARISH COUNCILLORS

It was moved by Councillor Stowe and seconded by Councillor Parsad-Wyatt, that Parish Councillors Furness, Hunt and Kenyon be formally co-opted to the Standards Committee. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Parish Councillors Furness, Hunt and Kenyon be formally co-opted to the Standards Committee.

81 APOLOGIES

An apology for absence was received from Councillor Carter.

82 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed everybody to the first meeting of the Committee and asked that all participants use their microphones when speaking as the meeting was being webcast.

83 MINUTES - 5 JANUARY 2023

Councillor Burt proposed and Councillor Stow seconded, a motion that the Minutes of the meeting held on 5 January 2023 be confirmed as a correct record and signed by the Chairman, subject to the following amendments:

- Councillor Hunt's name be added to the list of attendees.
- Minute 286 – delete in the 1st paragraph – 'bene' and replace with 'been'
- Minute 286 – delete in the 9th paragraph – 'complainant' and replace with 'complaint'
- Minute 285 – delete in the 10th paragraph – 'they' and replace with 'members of the public'
- Minute 285 – add in the 10th paragraph, at line 7 – 'not' after the word something.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 5 January 2023, be confirmed as a correct record and signed by the Chairman, subject to the following amendments:

- Councillor Hunt's name be added to the list of attendees.
- Minute 286 – delete in the 1st paragraph – 'bene' and replace with 'been'

- Minute 286 – delete in the 9th paragraph – ‘complainant’ and replace with ‘complaint’
- Minute 285 – delete in the 10th paragraph – ‘they’ and replace with ‘members of the public’
- Minute 285 – add in the 10th paragraph, at line 7 – ‘not’ after the word something.

84 DECLARATIONS OF INTEREST

There were no declarations of interest.

85 STANDARDS UPDATE

The Head of Legal and Democratic Services introduced the report. He said that the Committee would receive an update report at each meeting to inform them of any complaints received regarding the conduct of District, Town and Parish Councillors.

The Head of Legal and Democratic Services referred to the table shown at paragraph 2.4 of the report, which listed the six such complaints received since the last meeting of the Committee on 5 January 2023. He said that identifying detail had been removed to maintain confidentiality.

The Head of Legal and Democratic Services said that each complaint received required him to consult with the Committee’s Independent Person and mutually agree upon a conclusion.

The Chairman thanked the Head of Legal and

Democratic Services for his report.

Councillor Stowe asked if the Monitoring Officer received confirmation that an apology letter had been sent, should a breach of the code be found, and this deemed to be the appropriate action to take.

The Head of Legal and Democratic Services said that when a complaint was made, both the complainant and the Member concerned were asked if they are happy to consult with each other directly. He said that he can act as a 'go between' if this was not appropriate, and that confirmation was sought to ensure that letters of apology were sent.

Councillor Clements asked if the number of complaints contained within the report was an average number to have been received, and how much time was spent dealing with a complaint.

The Head of Legal and Democratic Services said that even a trivial complaint took up a lot of time. He said that each required him to speak to the complainant to get a true understanding of the complaint, and how this related to the code of conduct. He said that he would also visit the Council in question to seek their view and speak to any witnesses. He said that any information given to him by the Councillor would also need to be investigated before consultation with the Independent Person. He said that the conclusion for each complaint was then relayed back to both parties.

The Head of Legal and Democratic Services said that to have received six complaints in the period since the last meeting of the Committee was a little below

average, with seven to eight more of a normal number. He said that it was important to understand that every complaint, even where no breach was found, could not be dismissed and required groundwork.

The Independent Person said that he endorsed what the Head of Legal and Democratic Services had said, adding that members of the public were entitled to complain, but tests were also required to ascertain if the Member was acting in the capacity of a Councillor at the time of the alleged breach.

The Independent Person said that it wasn't unknown for members of the public to make complaints if they were unhappy with a decision made by a Councillor. He said that this was not misconduct, and that the code of conduct was not a route for pursuing satisfaction. He said that the code was not intended to hobble Councillors in the discharge of their duties.

Councillor Townsend asked for clarification of the process required to add an item to the Committee's agenda.

The Head of Legal and Democratic Services said that the agenda was required to be published at least five clear working days before the meeting, but this did not include the lead in time required to prepare reports and the possibility that they may need to go before Leadership Team. He asked that Members contact him as soon as possible should they have a possible agenda item and to copy in Democratic Services to determine if the Committee was the correct forum for the item. He said that this should be at least three to four weeks prior to the Committee meeting date.

Councillor Hunt referred to page 7 of the agenda and asked if the new complaints handling procedure had been sent to all parish clerks as per the minutes of the last Committee meeting.

The Head of Legal and Democratic Services said that he would arrange for this to be done within the week. He explained to the new Members of the Committee that the new complaints handling procedure was adopted in January 2023 and included an extra step which required councils to first attempt to resolve complaints at a local level.

It was moved by Councillor Townsend and seconded by Councillor Smith, that the recommendation, as detailed, be approved. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that (A) the Committee receive the report and provide any observations to the Head of Legal and Democratic Services and Monitoring Officer.

86 URGENT BUSINESS

There were no urgent items.

The meeting closed at 7.23 pm

Chairman
Date

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