
Meeting	Joint Standards Committee
Date	29 April 2014
Present	Councillor Runciman (Chair) (CYC Member) Councillor Gillies (Sub for Cllr Barton)(CYC Member - not in attendance for Minutes 34-36) Councillor Horton (CYC Member) Councillor Crawford (Parish Councillor) Councillor Simpson (Parish Councillor)
In attendance	Mr Hall (Independent Person) Mr Laverick (Independent Person) Mr Mellors (Parish Councillor) Mr Powell (Parish Councillor)
Apologies	Councillors Martin, Barton and Taylor

29. **Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda. No additional interests were declared.

30. **Minutes**

Resolved: That the minutes of the Joint Standards Committee meeting held on 19 February 2014 be confirmed and signed by the Chair as a correct record.

31. **Minutes of Sub-Committee**

Arising out of consideration of these minutes Members questioned the reasons leading to the decisions made and raised concerns at the outcomes. The Monitoring Officer confirmed that the results of the hearing would be formally presented to a public meeting of the Parish Council.

Resolved: That the minutes of the Hearings Sub-Committee meeting held on 20 March 2014 be confirmed and signed by the Chair as a correct record.

32. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme. Mr Wilson spoke in respect of the procedures for hearing complaints. He thanked the Joint Standards Sub-Committee for their fair and balanced hearing of the complaint however raised concerns that the process had not resolved the issue. He asked the Council to pursue, with the appropriate body, the strengthening of available sanctions.

33. Attendance by Representatives of Parish Councils

Parish Council representatives had been invited to attend the meeting to discuss any issues relating to monitoring standards of conduct and the committee's arrangements for dealing with complaints, including any feedback from the investigating process.

The Chair welcomed the Parish Council representatives to the meeting and invited them to identify any issues relating to the above issues.

The representatives thanked the Committee for the invitation to attend.

The following issues were raised:

- Parish Councillors had been unaware of the earlier Parish Council complaint although it was noted that such issues were unusual as the majority of Parish Councils had good working relationships
- The Committee's attention was drawn to a matter raised by the Scarborough Branch of the Yorkshire Local Councils Association. The matter related to the 'lack of teeth' of the new standards regime and the reliance on the principal council to investigate breaches and take action. The concerns had been passed onto the Association as a potential future lobbying and campaigning priority.
- It was questioned whether the Monitoring Officer informed Parish Councils if a complaint had been received but not

investigated. It was felt that it would be useful to provide details of the outcomes of the complaints process to Parish Councils.

- Reference was made to current guidance on Disclosable Pecuniary Interests which provided openness and transparency on personal interests making all Councillors more accountable than had previously been the case.

The Parish Council representatives were thanked for their attendance at the meeting.

34. Standards Hearing

It was noted that the Committee had recently concluded its first hearing under the new standards arrangements. Consideration was given to a report that invited Members to consider whether the experience of that case suggested that any improvements could be made to the Committee's protocols. Note was also taken of Mr Wilson's earlier comments, under the Public Participation item, in relation to his experience of the first hearing.

In response to a request by the earlier public speaker for an improvement in investigation timescales, the Monitoring Officer outlined the process undertaken to conclude the first hearing which had taken just under six months to complete. Members agreed that the time taken did not appear excessive.

In relation to the hearing procedure, in particular the decision whether to exclude the Press and public from future hearings, Members felt that, in the interests of transparency and public interest, the agendas and hearings should generally be in public, although the decision making would still remain private. This was unless representations were received from the parties concerned for the hearing to be in private or the circumstances of the case meant that it needed to be heard in private.

The following were identified as areas for improvement and inclusion in revised procedures for future hearings:

- Procedures to be examined with a view to making them less complex
- Agendas to be made public
- Hearings in the first instance to be held in public
- The Independent Person should have more involvement earlier in the procedure

Following further discussion it was

Resolved: That the Monitoring Officer, in conjunction with the Independent Persons, be requested to amend the procedures to reflect the recommendations outlined above.

Reason: To ensure that the Committee has strong arrangements in place for handling complaints.

35. Monitoring Report in Respect of Complaints Received

The Monitoring Officer gave a verbal report in respect of four complaints that had been received.

- (a) A recent Standards Sub-Committee hearing had found that one Member of Osbaldwick Parish Council had breached the Code of Conduct. Following consideration of a report prepared by the former Chair of the Standards Committee, the Independent Person and Monitoring Officer had accepted that there had been no breach of the Code by two further Members of the Parish Council.
- (b) A further complaint had been made against Osbaldwick Parish Councillors, however it had not been clear whether this related to individual Councillors or the Parish Council as a whole. The complaint had been rejected for clarification reasons however it was noted that the complaint would not have been classed as a breach of the Code. Additional information had subsequently been passed to the Monitoring Officer relating to a possible breach, which was now under investigation.
- (c) A longstanding complaint which was still under investigation.
- (d) A complaint had been made by a member of the public against a City of York Councillor regarding a planning issue. The Monitoring Officer confirmed that, following investigation, the Member had confirmed that the

applicant applying for planning permission had not been known to him personally.

Resolved: That the update on complaints received be noted.

Reason: To ensure that the Committee is kept updated on complaints received.

36. Review of Work Plan

Consideration was given to the Committee's work plan. Members were asked to suggest items for consideration at future meetings.

The following suggestion was put forward:

- Annual Report of Complaints received

Resolved: That the Committee's work plan be approved subject to the addition of the above item.

Reason: To ensure that the committee has a planned programme of work in place.

Councillor Runciman, Chair

The meeting started at 3.30 pm and finished at 4.45 pm.