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| MEETING | STANDARDS COMMITTEE |
| DATE | 22 JANUARY 2010 |
| PRESENT | MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR), HORTON (VICE-CHAIR), WAUDBY, HUDSON, TAYLOR, DIXON (INDEPENDENT MEMBER), HALL (INDEPENDENT MEMBER), MELLORS (PARISH COUNCIL MEMBER) AND FORSTER (PARISH COUNCIL MEMBER) |
| APOLOGIES | MR WILSON (INDEPENDENT MEMBER) AND CLLR CRAWFORD (PARISH COUNCIL MEMBER) |

31. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Cllrs Horton and Waudby each declared a personal, non prejudicial interest in agenda item 5 (Review of Hospitality Registers), as former Lord Mayors who had received free tickets to the race course.

Cllrs Taylor and Waudby each declared a personal, non prejudicial interest in agenda item 9 (Dispensation Requests), as Members requesting dispensations.

32. MINUTES

RESOLVED: That the minutes of the Standards Committee meeting held on 20 November 2009 be approved and signed by the Chair as a correct record.

33. MINUTES OF SUB-COMMITTEES

Members noted that the content of the minutes of the sub-committees differed from that of the decision notices issued after the meetings. It was explained that this was because the minutes were intended as a formal public record of the meeting, rather than a detailed record of the decision. However, it was agreed that in future the content of the minutes would be aligned more closely with that of the decision notices.

RESOLVED: That the minutes of the following Sub-Committees of the Standards Committee be approved and signed by the Chair as a correct record:

- Hearings Sub-Committee – meeting held on 6 November 2009
- Review Sub-Committee – meeting held on 20 November 2009
- Assessment Sub-Committee – meetings held on 23 November and 7 December 2009.

34. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

35. REVIEW OF HOSPITALITY REGISTERS

Members considered a report which provided information on the City of York Council's Members' Hospitality Register and an explanation of work carried out in relation to the registration of hospitality for Officers.

The Code of Conduct required Members to register all gifts and hospitality valued at more than £25. Any gift or hospitality so registered was also a personal interest. The register of interests was held both manually and on the Council's website. Members were responsible for updating their own entries. About half of Council Members had registered gifts or hospitality received, mostly in relation to tickets to the race course and Theatre Royal. Some had also registered gifts or hospitality offered but not accepted, in accordance with best practice. The main issue was for Members to remember to declare these as personal interests. The race tickets offered to previous Lord Mayors for nine years after their term of office could also amount to a prejudicial interest.

The Council's policy on gifts and hospitality to Officers, attached as Annex 1 to the report, was presented for information and comments only, as it was not within the remit of the Standards Committee. Management of the Officers' gifts and hospitality register lay with individual departments. A recent internal audit review of the departmental registers had identified examples of good practice but also a number of weaknesses, some of which required immediate action. The audit report included an action plan to address the concerns raised and this would be taken forward at Officer level.

With regard to the Members' register, the Monitoring Officer advised that, where a councillor was in receipt of multiple tickets of varying values, it was acceptable to declare these 'en bloc' at the start or end of the year, with an estimate of the total value. With regard to the Officers' register, Members commented that hospitality from charities should also be included in the definition at paragraph 15 of the policy, as charities were often in receipt of Council grants.

RESOLVED: (i) That the information in the report be noted and that Officers note Members' comments thereon.

(ii) That the Standards Committee review the Members' Hospitality Register on an annual basis.¹

REASON: To enable the Committee to carry out its role in maintaining high standards of conduct.

Action Required

1. Include annual review of Members' Hospitality Register on FY the Committee's work plan

36. HEARINGS PROCEDURE

Members considered a report which sought approval for a procedure that the Standards Committee must have in place in order to support the local determinations framework introduced in May 2008.

Although it had established most of the framework required to deal with complaints against members at a local level, the Standards Committee had not yet adopted a procedure for dealing with cases referred for investigation by the Assessment Sub-Committee. Cases to date had been dealt with in accordance with the extensive guidance published by Standards for England. This guidance had also been used as the basis for the procedure attached as Annex 1 to the report.

The aim of the procedure was to provide clarity on the local determination process, from the decision of the Assessment Sub-Committee on the original complaint to the end of any subsequent hearing. The procedure would be made available on the Council's website and sent out to the parties involved following the Assessment Sub-Committee's decision. The aim was to make members and the public aware of how the Standards Committee carried out its responsibilities and to ensure that, by the time a case reached a hearing, the matters in dispute were clear and understood.

RESOLVED: That the procedure attached as Annex 1 to the report be adopted, subject to paragraph 17 of the procedure being amended to:

- state that the parties to the hearing are the Monitoring Officer and the member complained of;
- clarify the circumstances in which the investigating officer should attend the hearing.¹

REASON: To ensure that a proper process is adopted in managing complaints against Members.

Action Required

1. Make the amendments to paragraph 17 of the procedure AL as requested and make the procedure available on the Council's website

37. RAISING THE PROFILE OF STANDARDS COMMITTEE

Members considered a report which presented some ideas for raising the profile of the Standards Committee and enable it to carry out its wide-ranging roles.

Although the Committee was currently fulfilling its core duties in overseeing the Code of Conduct and carrying out local determinations, its role did not appear to be widely recognised within the Council. The report set out a number of potential routes that members could take should they wish to make the Committee more visible and proactive. They included:

- Seeking local media coverage or publishing a newsletter
- Promoting training events
- Becoming 'ethical governance champions' within political groups
- Building closer links with parish councils
- Individual Committee Members 'specialising' in specific areas of work
- Liaising more closely with the Audit & Governance Committee.

In discussing the proposals, members:

- Sought clarification as to whether the Chair of Standards Committee could contact the Press directly (the previous Monitoring Officer had advised against this).
- Noted the positive participation of parish councils in the recent Code of Conduct training.
- Commented that, at this stage, resources should be aimed at developing the charter between the City and parish councils rather than creating specific links to the Standards Committee.
- Commented that there was probably limited scope for raising the Committee's profile by 'specialising' in particular areas, although attending meetings of other Council bodies would help to give external members an insight into the workings of the City Council.

RESOLVED: That a further report be received in due course containing more detailed proposals for implementation, taking account of the comments made and issues raised by members at this meeting.¹

REASON: To ensure that the Committee's role in promoting high ethical standards is carried out.

Action Required

1. Schedule a report containing detailed proposals on the Committee's work plan for a suitable meeting AL

38. REVIEW OF WORK PLAN

Members reviewed the Standards Committee's work plan for the remainder of the 2009/10 Municipal Year.

RESOLVED: That the work plan circulated with the agenda be approved, subject to the following amendment:

- Review of Planning Code of Good Practice to be moved to the meeting on 1 April 2010.¹

REASON: To allow sufficient time for the review to be progressed and to ensure an organised programme of work for the Committee

Action Required

1. Make the amendment to the work plan

FY

39. DISPENSATION REQUESTS

Members considered a report which presented a number of requests for dispensation for City of York Council Members, to allow them to speak at ward committee meetings when they may have a prejudicial interest.

Each ward in the City of York Council area had a ward committee whose membership comprised the relevant ward councillors. Each ward committee had a budget which could be used to fund organisations in the ward. When a ward councillor was also a member of an organisation receiving such funding, they were likely to have a prejudicial interest which, under the Code of Conduct, would exclude them from decision-making in respect of the budget. This would usually mean that the ward committee was unable to make a decision unless a dispensation was granted by the Standards Committee.

Requests for dispensation must be submitted in writing. It was for the Standards Committee to decide what criteria to apply when considering a request and to decide the nature of the dispensation and how long it should apply (up to a maximum of four years). Applications for dispensation had been received from a total of 22 councillors, as listed in Annex A to the report. All were recommended for approval. Details of each application were made available to members at the meeting. However, it was noted that not all of these included details of the organisations to which the Members in question belonged.

RESOLVED: (i) That dispensations be granted to the following councillors in relation to their ward committees, in order to allow them to participate in budget and funding decisions at the ward committee meetings:

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| Councillor Keith Aspden | Heslington and Fulford Ward Committee |
| Councillor Denise Bowgett | Holgate Ward Committee |
| Councillor Barbara Boyce | Heworth Ward Committee |
| Councillor Jenny Brooks | Derwent, Heworth Without & |

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| | Osballdwick Ward Committee |
| Councillor Sonja Crisp | Holgate Ward Committee |
| Councillor Andy D'Agorne | Fishergate Ward Committee |
| Councillor Helen Douglas | Clifton Ward Committee |
| Councillor Paul Firth | Haxby & Wigginton Ward Committee |
| Councillor Christina Funnell | Heworth Ward Committee |
| Councillor Susan Galloway | Westfield Ward Committee |
| Councillor John Galvin | Bishopthorpe and Wheldrake Ward Committee |
| Councillor Paul Healey | Rural West York Ward Committee |
| Councillor Keith Hyman | Huntington and New Earswick Ward Committee |
| Councillor Richard Moore | Skelton, Rawcliffe and Clifton Without Ward Committee |
| Councillor Keith Orrell | Huntington and New Earswick Ward Committee |
| Councillor Ruth Potter | Heworth Ward Committee |
| Councillor Carol Runciman | Huntington and New Earswick Ward Committee |
| Councillor Dave Taylor | Fishergate Ward Committee |
| Councillor Andrew Waller | Westfield Ward Committee |
| Councillor Joe Watt | Skelton, Rawcliffe and Clifton Without Ward Committee |
| Councillor Irene Waudby | Skelton, Rawcliffe and Clifton Without Ward Committee |
| Councillor Sian Wiseman | Strensall Ward Committee |

(ii) That the dispensations be granted for a period up to the end of the 2009/10 Municipal Year, on 27 May 2010.

REASON: To enable ward committees to make decisions in respect of their budgets.

(iii) That details of the individual applications for dispensation be made available with the minutes of this meeting.*

REASON: So that the reasons for the dispensations are clear and transparent.

* Note: details of the applications are attached as an annex to these minutes

C Bainton, Chair

[The meeting started at 3.00 pm and finished at 4.35 pm].

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| Name of councillor | Ward Committee | Reason for dispensation |
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| Councillor Keith Aspden | Heslington and Fulford Ward Committee | Member of Fulford Parish Council |
| Councillor Denise Bowgett | Holgate Ward Committee | member of Millenium Green Trust Board which has applied for Ward Funding |
| Councillor Barbara Boyce | Heworth Ward Committee | Confirmed no prejudicial interest on budget agenda therefore does not require dispensation |
| Councillor Jenny Brooks | Derwent, Heworth Without & Osbaldwick Ward Committee | Confirmed no prejudicial interest on budget agenda therefore does not require dispensation |
| Councillor Sonja Crisp | Holgate Ward Committee | member of Millenium Green Trust Board which has applied for Ward Funding |
| Councillor Andy D'Agorne | Fishergate Ward Committee | Member of Friends of New Walk who are funded by the ward committee |
| Councillor Helen Douglas | Clifton Ward Committee | Secretary of Clifton Residents Association which receives funding and uses facilities paid for by Clifton Ward Committee |
| Councillor Paul Firth | Haxby & Wigginton Ward Committee | member of Wigginton Parish Council which has applied for Ward Funding |
| Councillor Christina Funnell | Heworth Ward Committee | Member of St Nicholas'Fields which has applied for ward funding. |
| Councillor Susan Galloway | Westfield Ward Committee | Confirmed no prejudicial interest on budget agenda therefore does not require dispensation |
| Councillor John Galvin | Bishopthorpe and Wheldrake Ward Committee | Confirmed no prejudicial interest on budget agenda |

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| | | therefore does not require dispensation |
| Councillor Paul Healey | Rural West York Ward Committee | Member of the management committee for Poppleton Youth Club who are funded by the committee |
| Councillor Keith Hyman | Huntington and New Earswick Ward Committee | member of Huntington Parish Council and Parish Council representative at Orchard Park Community Centre |
| Councillor Richard Moore | Skelton, Rawcliffe and Clifton Without Ward Committee | <p>Chair of organizations submitting the following schemes:</p> <p>SK-10-03 A grant to Rawcliffe Parish Council to install kissing gates at Rawcliffe Grange to stop motorcycles and scooters entering the site. The grant will be match funded from other sources.</p> <p>SK-10-09 A grant to Rawcliffe Parish Council to relocate the gate at the Clifton Moor Community Church to be opposite the door allowing the after school club to move directly to the open space for activities.</p> <p>SK-10-10 A grant to Rawcliffe Parish Council to create a path connecting Staindale Close with Rawcliffe</p> |

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| | | <p>Recreation Field. This will link to other paths that are part of 'Routes to School'</p> <p>SK-10-21 A grant to Rawcliffe Parish Council to plant two slow growing trees on the Staindale Close open space. This will include the equipment needed to protect their growth.</p> <p>SK-10-27 A grant to Clifton Backies Management Committee towards the provision of a seating area on Clifton Backies for recreation. The final design and costings will be available after a public consultation event.</p> |
| Councillor Keith Orrell | Huntington and New Earswick Ward Committee | member of Huntington Parish Council and Parish Council representative at Orchard Park Community Centre and Huntington Burial Board |
| Councillor Ruth Potter | Heworth Ward Committee | Member of Bell Farm Social Hall and the proposal is to fund children's trips and enabling water to be put onto the site |
| Councillor Carol Runciman | Huntington and New Earswick Ward Committee | Member of New Earswick PC |
| Councillor Dave Taylor | Fishergate Ward Committee | Member of Friends of New Walk who |

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| | | are funded by the ward committee |
| Councillor Andrew Waller | Westfield Ward Committee | Confirmed no prejudicial interest on items now on agenda and therefore does not require dispensation |
| Councillor Joe Watt | Skelton, Rawcliffe and Clifton Without Ward Committee | member of Skelton Parish Council, the Skelton Village Hall Committee and a Trustee of the Skelton Village Hall. These organisations have applied for Ward Funding |
| Councillor Irene Waudby | Skelton, Rawcliffe and Clifton Without Ward Committee | a member of Rawcliffe Parish Council, the St Mark's Church, Rawcliffe. These organisations have applied for Ward Funding |
| Councillor Sian Wiseman | Strensall Ward Committee | Member of Earswick Parish Council |