

BRECKLAND COUNCIL

At a Meeting of the

STANDARDS COMMITTEE

**Held on Tuesday, 4 August 2009 at 2.15 pm in
Norfolk Room, Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr M.D. Eveling JP	Mr G. Ridgway
Mrs J. Jenkins (Chairman)	Mr F.J. Sharpe
Mrs M. Oechsle	Mr M. Whittley
Mr B.D Rayner	

In Attendance

Susan Allen	- Standards Officer
John Chinnery	- Solicitor & Standards Consultant
Helen McAleer	- Member Services Officer

Action By

29/09 MINUTES

The minutes of the meeting held on 23 June 2009 were confirmed as a correct record and signed by the Chairman.

30/09 APOLOGIES

Apologies for absence were received from Messrs. D. Myers and D. Williams.

31/09 APPLICATION FOR DISPENSATION - WATTON TOWN COUNCIL

The Consultant Solicitor explained that this was a standard application by Watton Town Council, for a dispensation in connection with the Charlotte Harvey Trust.

There was nothing unusual or different in the application which was for all 14 members of the Town Council. There was also a request that delegated authority be given to the Monitoring Officer to grant a dispensation for the same purpose to the new member to be elected to fill an existing vacancy on the Town Council.

The Chairman asked if there could be a general rule where authority was delegated to the Monitoring Officer in other such cases where a vacancy existed.

The Consultant Solicitor thought it was a sensible idea and if the Committee agreed, it would speed matters up.

RESOLVED that

- (1) a dispensation be granted until May 2011 to the following named members of Watton Town Council to enable them to speak and vote on all matters in connection with the Charlotte Harvey Trust, to ensure the smooth running of the business of the Town Council:

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Barbara Anderson, Richard Crabtree, Brian Freeman, Keith Gilbert, Alfred Harvey, Margaret Holmes, Roy Ivory, John McCarthy, Lorraine McCarthy, Alan Osborn, Roy Rudling, Christopher Walls, Michael Wassell and Bryan Wykes;

- (2) the Monitoring Officer be given delegated authority to grant a dispensation for the same purpose to the new member of the Town Council when elected;
- (3) as a general rule in future, when a dispensation was granted to a Town or Parish Council with a vacancy, delegated authority be given to the Monitoring Officer to grant a dispensation for the same purpose to the new member when elected.

32/09 APPLICATION FOR DISPENSATION - SCARNING PARISH COUNCIL

RESOLVED that a dispensation be granted until May 2011 to Mr. L. Spillman of Scarning Parish Council to enable him to speak and vote on all matters in connection with the Former Highway Surveyor's Land at Daffy Green and the Scarning Fuel Allotment Charity, to ensure the smooth running of the business of the Parish Council.

33/09 LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW

The Standards Officer presented this report which was for information only.

In previous years the report from the Ombudsman had been in letter form and had contained comparisons to previous years. This year the report took the form of an Annual Review.

There had been no more complaints in 2008/09 than in 2007/08 and there was nothing untoward in the report.

Attention was drawn to Appendix 2 of the report which listed the average time taken to respond to complaints by the Council. The Standards Officer explained that Breckland's response time of 17 days was well within the required 28 day deadline and was also the quickest response time of all the Norfolk authorities, which ranged from 18 days to 46 days.

A Member asked if the number of complaints dealt with by other authorities was known as this might explain their longer response times. The Standards Officer did not have this information.

The Consultant Solicitor said that the report showed that the Council was acting properly and well. There had been few complaints, three local settlements and no formal findings of maladministration. The fact that Breckland had the best response time showed that the Council took complaints seriously. He felt this was an opportunity for the Committee to make congratulatory comments to the Council.

Action By

RESOLVED to congratulate the Council on its performance based on the Ombudsman's report for the year and to look forward to that standard being maintained. The Standards Committee would do everything it could to help in this regard.

A Member asked about the number of Planning complaints and enquired if Capita would take responsibility for future complaints.

The Consultant Solicitor said that there were various provisions in the Capita contract for standards and performance to be maintained but that ultimately responsibility for dealing with complaints still rested with the Council.

The report was noted.

34/09 UPDATE ON AMENDED CODE OF CONDUCT

The Consultant Solicitor had heard nothing about the update and so he had contacted the Standards Board for England and been told that they did not know when the amended Code would be issued and that it might be as late as spring 2010.

This had a knock on effect on training which had been put off awaiting the new Code. A timetable needed to be arranged to provide Members with training on the Code as it stood at the moment.

The Committee was asked if there were any areas that they considered needed to be particularly addressed and a Member asked for more training to be provided on the difference between personal and prejudicial interests and when it was necessary for a Councillor to leave the room during a meeting.

On a Parish Council level a Member asked if individual Councillors were responsible only for their own actions or if they were responsible if they knew of an undeclared interest by another Councillor.

Under the previous code the Clause requiring Councillors to report such instances had been removed and it would not normally be a breach of the Code for not reporting such an incident.

35/09 NEXT MEETING

Arrangements for the next meeting on 15 September 2009 were noted.

The meeting closed at 2.40 pm

CHAIRMAN