

**MEMBER CONDUCT COMMITTEE
5TH DECEMBER 2016**

PRESENT: Councillors Parsons (Chair), Tassell (Vice-chair), Bentley, Bokor, Hadji-Nikolaou, C. Harris, and Taylor

Ms A. Marshall (Parish Member)

Head of Strategic Support (Monitoring Officer)
Democratic Services Manager (Deputy Monitoring Officer)
Democratic Services Officer (NC)

APOLOGIES: Ms B. Crick (Parish Member)

15. MINUTES

The minutes of the meeting held on 12th September 2016 were confirmed as a true record and signed.

Councillor Harris joined the meeting at 6.04pm.

16. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

17. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions had been received.

18. HEARINGS AND APPEALS

A presentation was delivered by the Monitoring Officer concerning the process followed for Panel Hearings and Appeals.

The Committee considered whether formal advice should be provided to the Appeals and Reviews Committee regarding amending the sanctions imposed or recommended by a Member Conduct Panel. The Committee concluded that advice would be provided by the Monitoring Officer on a case by case basis.

RESOLVED

1. that the Monitoring Officer seeks to recruit a Parish Member to fill the vacancy for a third non-voting Parish Member to sit on the Member Conduct Committee;
2. that subject to the recruitment of a third non-voting Parish member, the Democratic Services Manager ask the Appeals and Reviews Committee members if they would consider amending the committee rules to include the attendance of a parish or town council representative at committee meetings if

the matters under consideration was an appeal against decisions made by a Member Conduct Panel hearing regarding breaches of a Code of Conduct by a parish or town councillor;

Reasons

1. The Committee considered that if the Appeals and Reviews Committee rules were modified to include a parish or town council representative who would be sought from the co-opted Parish Members of the Member Conduct Committee, that the vacancy currently on this Committee be filled to enable the pool to be widened.
2. The Committee wished to ensure that the Appeals process reflected the procedure that was currently in use for Member Conduct Panel hearings and considered that it was justified for a parish or town council representative to be included in an Appeals and Reviews Committee meeting if the matters under consideration related to breaches of a Code of Conduct by a parish or town councillor.

19. COMMITTEE TRAINING – MEMBER DEVELOPMENT MEMBER REFERENCE GROUP RESPONSE

Considered a report of the Monitoring Officer providing an update from the Member Development Member Reference Group concerning committee training recommended following the Planning Code of Good Practice review (item 6 on the agenda filed with these minutes).

The Chair thanked the Member Development Member Reference Group for its feedback.

RESOLVED that the update be noted.

Reason

The Committee were satisfied with the response from the Member Development Member Reference Group concerning committee training.

20. REVIEW OF THE CONSTITUTION

Considered whether to suggest possible amendments to the Constitution as part of the annual review process. Members were satisfied that amendments relating to standards issues had been considered previously.

RESOLVED that the item to consider possible amendments to the Constitution be added to the Committee's work programme for consideration in December 2017.

Reason

The Committee wished to have an opportunity to review the Constitution during the annual review in 2017.

21. UPDATE ON COMPLAINTS RECEIVED

Considered a report of the Monitoring Officer providing an update on complaints received about breaches of the Members' Code of Conduct and any issues arising from those complaints (item 8 on the agenda filed with these minutes).

The Monitoring Officer noted that there had been three complaints during this year to date.

RESOLVED that the current position in respect of complaints about breaches of the Members' Code of Conduct that have been received be noted.

Reason

To keep the Committee informed about complaints.

22. WORK PROGRAMME

Considered a report of the Monitoring Officer enabling the Committee to agree a work programme to plan its future business (item 9 on the agenda filed with these minutes).

RESOLVED

1. that the Chair and Vice-chair in consultation with the Democratic Services Manager consider prior to the next Committee meeting scheduled to be held on 20th March 2017, whether to include an update regarding the Register of Members' Interests on the agenda for this meeting, or whether to cancel the meeting;
2. that the Committee's current work programme be noted and updated in accordance with the decisions taken during consideration of this item and other items on the agenda.

Reasons

1. All councillors will be reminded in early 2017 to confirm if their entry in the Register of Members' Interests requires amending. The Committee considered that dependant on the responses received it may wish to consider at its next meeting whether to alter the process to include requesting a positive confirmation of whether or not there had been a change to councillors' entries in the Register of Members' Interests.

2. To enable the Committee to fulfil its role in promoting and maintaining high standards of conduct by councillors and co-opted members.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 23rd January 2017 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Member Conduct Committee.