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STANDARDS COMMITTEE18 MARCH 2014

Present:- Councillor N R Stock (Chairman), Councillor J Hawkins, Councillor P B Honeywood, Councillor T A Howard, Councillor I Johnson, Councillor F H Nicholls

Also Present:- Councillor S A Honeywood and Mr J Wotton (Independent Person)

In Attendance:- Corporate Director (Corporate Services) (Martyn Knappett), Democratic Services Manager (Colin Sweeney) and Monitoring Officer (Lisa Hastings)

(10.00 a.m. - 11.30 a.m.)  
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7.. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received on behalf of Councillor R Heaney (Vice-Chairman) (with no substitute).

8. MINUTES OF THE LAST MEETING OF THE STANDARDS COMMITTEE

The minutes of the last meeting of the Standards Committee, held on 12 December 2013, were approved as a correct record and signed by the Chairman, subject to the following amendment:

That paragraph 9 to the (Part B) Exempt Minutes of the last meeting, held on 12 December 2013, be removed from the Exempt Minutes and inserted as paragraph 3 to Minute No.5 within the (Part A) Minutes of that meeting to now read:

“5. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor P B Honeywood, seconded by Councillor Nicholls and:

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 6 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

The Chairman then reconvened the meeting and Councillors Candy, D R Mayzes and McWilliams returned to the Council Chamber. The Chairman asked Councillor Mayzes whether he would accept that he had breached the Code of Conduct and whether he would also forgo the formal hearing process and allow the Committee to proceed to decide what action it would take. Councillor Mayzes gave his confirmation.”

9. DECLARATIONS OF INTEREST

There were no declarations of interest recorded at this time.

During consideration of Agenda Item No.6 (Verbal General Update from the Monitoring Officer), Councillor J Hawkins referred to the table that had been circulated by the Monitoring Officer and, in particular to the entry “Requests for Dispensation.”

Accordingly, Councillor Hawkins confirmed his Disclosable Pecuniary Interest in relation to the Coastal Protection Scheme, and that he was one of the two Tendring District Councillors who had been granted a dispensation as referred to in the update.

10. OUTCOME OF THE COMPLAINT AGAINST COUNCILLOR DANNY MAYZES

There was submitted a report (A.1) by the Corporate Director (Corporate Services) and Deputy Monitoring Officer, which updated the Committee on the outcome of the complaint made against Councillor Danny Mayzes.

The report provided details as to the complaint, lodged by the Council's Chief Executive and Monitoring Officer, the alleged inappropriate and unacceptable use of social media by Councillor Mayzes and the resultant breach of the Code of Conduct.

The report confirmed that the matter had been concluded in accordance with the Complaints Procedure and resolved without the need for a hearing, on the basis that a written apology had been circulated by Councillor Danny Mayzes to all Councillors.

Accordingly, it was RESOLVED that:

1. The Committee notes its disappointment in the fact that Councillor Mayzes, subsequent to the breach being found by the Independent Investigator and accepted by Councillor Mayzes, he chose not to issue an apology at Council;
2. Notwithstanding Resolution 1 above, Councillor Mayzes be offered a further opportunity to apologise to Council, at its meeting to be held on 25 March 2014; and
3. If, in future, an apology was offered as part of the informal resolution stage or recommended by the Committee, that the Member issue an apology to Council, the said Member be requested to do so, in person, at the next available meeting of the Council, demonstrating openness and transparency and promoting high standards.

11. HEARING PROCEDURES

There was submitted a report (A.2) by the Monitoring Officer, which sought the Committee's approval to the proposed Hearing Procedures that would supplement the Council's Complaints Procedure when dealing with allegations that a Member had breached the Code of Conduct.

Accordingly, it was RESOLVED that Hearing Procedures, as set out in Appendix 1 to the report, for both the Standards Committee and the Town and Parish Councils' Standards Sub-Committee, be approved, subject to the following additional wording:

That where District Councillors were required to make a decision in respect of a hearing, they have due regard to, and take into account any views expressed by Town and Parish Councillors in reaching their decision.

12. INDEPENDENT PERSON RECRUITMENT

There was submitted a report (A.3) by the Monitoring Officer, which sought to enable the Committee to comment on the proposed Independent Person Recruitment Pack and to approve the membership and delegations of the Interview Panel for recommending to Council the appointment of the successful candidates.

Accordingly, it was RESOLVED that:

1. The Independent Person Recruitment Pack, prepared by the Monitoring Officer, and as set out at Appendix 1 to the report, be endorsed, subject to the following amendments:

(a) That, at bullet-point two, under “Who is eligible” to “The Independent Person: Specification” section of the Person Recruitment Pack, the words “....,or has been within the past 5 years,” be added after “Is” at line 1; and

(b) That, in both bullet-points under “Who is eligible” to “The Independent Person: Specification” section of the Person Recruitment Pack, the words “....or someone who has stood for office in the past 5 years” be added after the words “voting rights” in each case.

2. The membership of the Interview Panel comprise of the Monitoring Officer, the Deputy Monitoring Officer and the following three Members:

Councillor P Honeywood  
Councillor J Hawkins  
Councillor I Johnson

3. Any other Member of the Standards Committee be permitted to act as substitute in the even that any of the three appointed Members were unable to attend the Interview Panel; and

4. Authority be delegated to the Interview Panel to make recommendations to Annual Council on 6 May 2014 regarding the appointment of the Independent Persons, including term of office and extending an existing appointment, if appropriate to do so, and any related matters.

13. VERBAL GENERAL UPDATE FROM THE MONITORING OFFICER

The Monitoring Officer spoke on (a) a matrix showing progress in relation to complaints against Members received and (b) the Council’s Press Procedure – Complaints Against Members (both tabled at the meeting), which were noted.

14. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

15. EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 9 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

Chairman