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Standards Committee

9 April 2025

MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE, HELD ON WEDNESDAY, 9TH APRIL, 2025 AT 10.00 AM IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Wiggins (Chairman), Alexander, Codling, Goldman, J Henderson and Talbot
In Attendance:	Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Keith Simmons (Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer), Karen Hayes (Corporate Governance, Performance & Procurement Manager), Debbie Bunce (Legal Governance Officer), Bethany Jones (Committee Services Officer) and Katie Koppenaal (Committee Services Officer)
Also in Attendance:	Clarissa Gosling (one of the Council's four Independent Persons)

38. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Oxley (with Councillor Goldman substituting), Sue Gallone (one of the Council's Independent Persons), David Irvine (one of the Council's Independent Persons) and Jane Watts (one of the Council's Independent Persons).

The Chairman (Councillor Wiggins) noted the absence of Councillor Land.

39. MINUTES OF THE LAST MEETING

It was moved by Councillor Talbot, seconded by Councillor J Henderson and:-

RESOLVED that the Minutes of the meeting of the Committee held on Wednesday, 5 February 2025 be approved as a correct record and be signed by the Chairman.

Councillor Talbot requested that the question of whether the requirement of senior officers and the Legal Team should have their private home address made public when applying for a planning application should be added to the current set of Minutes.

The Monitoring Officer reassured Members that, before the new Planning Probity Protocol, planning applications submitted by Tendring District Council colleagues would have had to go to Planning Committee to begin with; however, with the updated Planning Probity Protocol, a reduction in the number of Officers who had to apply through the Planning Committee had been made. There could be a possibility that the addresses of Officers could be abused but that would be dealt with accordingly. Allowing the applications to go to Planning Committee would show that Senior Officers could not influence the outcome of the decision. If there were a number of incidences that arose from the addresses being made public, then that would be looked into as a duty of care to the Officers concerned.

40. DECLARATIONS OF INTEREST

There were no Declarations of Interest made on this occasion.

41. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice had been submitted by Members pursuant to Council Procedure Rule 38 on this occasion.

42. REPORT OF THE MONITORING OFFICER - A.1 - ANNUAL REPORT ON DECLARATIONS OF INTEREST AND ASSOCIATED MATTERS

Members recalled that it had been agreed at the meeting of the Standards Committee held on 29 June 2016 that, as part of its annual work programme, the Committee would receive an annual report on declarations of interest and associated matters. The report now before the Committee covered the period from 1 April 2024 to 31 March 2025 and provided statistics on:

- *the number of declarations of interest made at meetings;*
- *the number of offers of gifts and hospitality that had been registered by Members during this period; and*
- *updates to the Members' Register of Interests.*

The data had been collated from the Committee system Modern.gov which the Council started using as of August 2016 and from Members' submissions.

Register of Members' Disclosable Pecuniary Interests

The Committee was aware that the Council was required to publish the 'Register of Disclosable Pecuniary Interests' on its website in accordance with the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2021, which prescribed the categories of interests.

It was confirmed that the Council's website included a Register of Disclosable Pecuniary Interests and Other Registerable Interests for all District Councillors and that this was updated when an individual Member provided details of an amendment directly to the Monitoring Officer. Any entry, which was relevant to a business item on an agenda, must be declared by the individual Member and they must subsequently remove themselves from the meeting, unless a prior dispensation had been granted by the Monitoring Officer.

The Committee was informed that there had been a dispensation for all District Members granted by the Monitoring Officer for the purpose of the report of the Director (Finance & IT) – Formal Confirmation of Council Tax Amounts for 2025/26 to Full Council and subsequently the Human Resources & Council Tax Committee in February 2025.

Declarations of Interest at meetings

Members were required to declare Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests at meetings and those recorded on the committee system, as declared by District Councillors for the period 1 April 2024 to 31 March 2025 were set out in the Appendix A to the Monitoring Officer's report. The minutes of the relevant meetings also recorded the declarations.

Use of blanket dispensations

The Committee was reminded that this Council's former Members' Code of Conduct at paragraph 7.3, as agreed by full Council in January 2018, had contained blanket dispensations for any business of the Authority where that business related to the Council functions in respect of:

- i. housing, where the Member is a tenant of the Authority provided that those functions do not relate particularly to their tenancy or lease;*
- ii. school meals or school transport and travelling expenses, where the Member is a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;*
- iii. statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the Member is in receipt of, are entitled to the receipt of, such pay;*
- iv. an allowance, payment or indemnity given to Members;*
- v. any ceremonial honour given to Members; and*
- vi. setting Council Tax or a Precept under the Local Government Finance Act 1992*

Since their introduction, only category iv and vi dispensations had been called upon at meetings of the Cabinet and full Council.

Members recalled that the current Code of Conduct which had taken effect in May 2023 did not include blanket dispensations and so, consequently, the Monitoring Officer gave a blanket dispensation for the purposes of setting Council Tax under the Local Government Finance Act 1992, at the District Council's budget meeting held on 11 February 2025 (minute 105 referred).

"A recorded vote is mandatory on any decision relating to the budget or Council Tax. This includes not only on the substantive budget motions agreeing the budget and setting Council taxes, but also on any amendments proposed at the meeting.

For other types of Interests, which need to be considered, Disclosable Pecuniary Interests (DPIs), Other Registerable Interests (ORIs) or Non-Registerable Interests are defined in the Code of Conduct and for DPIs & ORIs, these have been (or should have been) registered in advance, and with the exception of the Council Tax exemption for residing in the District, you should still consider if any other interests do apply. A blanket exemption/dispensation has not been applied for all."

Declarations of offers/receipt of gifts and hospitality

Following the Standards Committee's review of the Council's Gift and Hospitality Policy for Members, guidance and a notification form had been produced for all District Councillors in May 2016. Reference to declarations of offers/receipt of gifts and hospitality had been included within the mandatory Members' Code of Conduct training delivered by the Monitoring Officer in June and July 2023. There had been one recorded declaration of offers/receipt of gifts and hospitality made by a District Councillor in the time period of this report.

Members' Register of Interests

The Committee was aware that, pursuant to the Localism Act 2011, within 28 days of becoming a Member or re-election or appointment to office, Members must register with the Monitoring Officer the interests which fell within the categories set out in Table 1 of

the Members' Code of Conduct, namely, Disclosable Pecuniary Interests (DPIs) which were as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". Members should also register details of other personal interests which fell within the categories set out in Table 2 (Other Registerable Interests).

It was reported that, at the conclusion of the May 2023 District, Town and Parish Council elections, all Members had received the relevant Disclosable Pecuniary Interest and Other Registerable Interests form as part of their induction procedure, to complete and return to the Monitoring Officer, for inclusion on the Council's website within a central register. Registration and the obligations to disclose DPIs, Other Registerable Interests and Non-Registerable Interests and the effect on participation had been covered within the mandatory Members' Code of Conduct training delivered by the Monitoring Officer in June and July 2023. In line with the requirements of the Council's External Auditors, an annual reminder had been sent to all District Members to ensure that all interests were up to date and that remained ongoing.

The Monitoring Officer clarified to Members that it did take several reminders to Members to keep the register up to date and that there were Members that had not yet responded.

It was moved by Councillor Talbot, seconded by Councillor J Henderson and unanimously:-

RESOLVED that the Committee notes the contents of the report (A.1) and supports Officers in that Members should be responding to requests to keep their Members' Register of Interest entries up to date.

43. REPORT OF THE MONITORING OFFICER - A.2 - MANDATORY TRAINING FOR MEMBERS - ANNUAL UPDATE

The Committee heard that the report reiterated the Council's decision and constitutional requirement to make relevant training mandatory for Members, and their named substitutes, in respect of their membership on the committees which provided regulatory type functions. The report also detailed training undertaken and attendance to date.

Members recalled that the Committee, as part of its annual work programme since 2014, had received a report providing details of the mandatory training provided to Members of the Planning and Licensing and Registration Committees.

Mandatory Training in the context of Councillor Development more widely

The Committee was aware that the mandatory training referenced in the report also formed part of the overall training provision for all Councillors within the framework established by the Council's "Councillor Development Statement" as reported to this Committee on 2 October 2019 (Minute 14 referred).

In 2021/22 the then Portfolio Holder for Corporate Finance and Governance had established a Working Party which provided a cross-party mechanism for the regular input into development opportunities for Councillors. The membership had provided for input from all of the main Committees of the Council and all the political groups on the Council that was broadly proportionate to the overall position on the Council as a whole.

Thus far five sessions had taken place, with a further session planned, along with specific planning development sessions.

Access to the Local Government Association's online training portal was available for all Councillors and the provided training modules included:-

Community Engagement and Leadership
Councillor Induction
Commissioning Council services
Equality, Diversity and Unconscious Bias
The Effective Ward Councillor
Facilitation and Conflict Resolution
Handling Complaints for service improvement
Handling intimidation
Holding Council meetings online
Influencing skills
Licensing and Regulation
Local Government Finance
Planning
Police and Crime Panels
Scrutiny for Councillors
Stress management and personal resilience
Supporting mentally healthier communities
Supporting your constituents with complex issues

Members were told that the completed and returned evaluation sheets, circulated following any training sessions provided, were used to assist the Council to refine and improve its training offer.

The above list did not reference the training provided for Councillors through All Members' Briefings.

The Monitoring Officer clarified that only the Members that were going to be sitting on the Committees that required site visits for that specific meeting, should attend the site visit to be able to join in with the decision-making process.

It was moved by Councillor Alexander, seconded by Councillor Codling and unanimously:-

RESOLVED that the Standards Committee:-

- (a) notes the contents of the report (A.1) and its Appendix; and
- (b) continues to encourage Members of the Planning, Licensing and Registration and Audit Committees to attend all organised mandatory training events in order to comply with the requirements of the Council's Constitution.

44. REPORT OF THE MONITORING OFFICER - A.3 - STANDARDS COMMITTEE WORK PROGRAMME 2025/26

The Committee considered the following draft Work Programme for 2025/26:-

July 2025

- Updates by Monitoring Officer covering complaints and National Policy changes
- Licensing and Registration Probity Protocol
- Standards Hearing Procedure review
- Update on mandatory Members' Code of Conduct training

October 2025

- Updates by Monitoring Officer covering complaints and National Policy changes
- Town and Parish Councils' Code of Conduct and Interests review – including Local Government Reorganisation (LGR) implications
- Outcome of consultation from Licensing and Registration Probity Protocol
- Role of Monitoring Officer and review of administrative delegated powers

February 2026

- Case review and guidance update for the Committee on decisions and actions taken nationally
- Updates by Monitoring Officer covering complaints and National Policy changes
- Update on mandatory training for Members

April 2026

- Annual report on declarations of interest (including meetings, gifts and hospitality)
- Updates by Monitoring Officer covering complaints and National Policy changes
- Annual Work Programme for 2026/27

Members were made aware that the above meeting dates were provisional pending ratification at the Annual Meeting of the Council on 29 April 2025 and that, in addition, individual matters might be referred to those meetings by the Monitoring Officer, in accordance with the Committee's Terms of Reference as necessary, for example, an appeal against dispensation decision or a Code of Conduct hearing.

Having duly considered and discussed the contents of the draft work programme:-

It was moved by Councillor J Henderson, seconded by Councillor Talbot and unanimously:-

RESOLVED that the Work Programme for the Standards Committee for 2025/26 be approved and adopted.

45. **COMPLAINTS UPDATE AND NATIONAL POLICY CHANGES**

The Committee had before it the Monitoring Officer's update on existing and new conduct complaints cases.

TENDRING DISTRICT COUNCIL MONITORING OFFICER UPDATE APRIL 2025				
Council	Complainant	Current status	Final outcome	Comments
Existing Cases from last update:				
Council	Complainant	Current status	Final outcome	Comments
DISTRICT	METROPOLITAN BOROUGH COUNCILLOR – received 18 August 2023	CLOSED	Standards Hearing – determined breach of Code of Conduct – Committee sanctions published on Council's website	Subject Member has sadly passed away.
TOWN	PUBLIC - received 05 Jun 2024	CLOSED 07 Mar 2025	Investigation concluded – conducted by externally appointed Investigator	Matter relates to behaviour whilst acting in an official capacity. A final report has been received and submitted to all parties. No evidence of a breach of Code of Conduct.
TOWN	PUBLIC – received 05 Dec 2024	ONGOING	Investigation – internally appointed Investigator	Matter relates to use of social media.

TOWN	PUBLIC – received 05 Dec 2024	ONGOING	Pending	Matter relates to public statements on the Town Council's website.
PARISH	PARISH COUNCILLOR – received 05 Mar 2025	ONGOING	Pending	Matter relates to behaviour between Parish Councillors whilst acting in an official capacity.
DISTRICT	PUBLIC – received 11 Mar 2025	ONGOING	Pending	Matter relates to communications between parties.
New Cases since last update - two				
<p><u>General Notes – 2024/25 Summary:</u></p> <p>Overall, eleven cases had been received so far in 2024/25. Since the last update, one case investigation had been concluded by the externally appointed investigator, one remained ongoing being investigated by an internally appointed investigator and three remained ongoing.</p>				
Requests for dispensations:				
<p>A dispensation for all District Members had been granted by the Monitoring Officer for the purpose of the report of the Director (Finance & IT) – Formal Confirmation of Council Tax Amounts for 2025/26 submitted to Full Council and Human Resources & Council Tax Committee in February 2025.</p>				

Officers updated the Committee with the latest updates since the report had been published:-

- A Parish case was now into investigation with an internally appointed investigator;
- Last District case had been closed, and Code of Conduct training was to be given by the Monitoring Officer; and
- A further 4 cases had been received, 2 were for the same Councillor by the same complainant but for different reasons and the other 2 were from the same complainant but for 2 different Councillors.

The Monitoring Officer gave a presentation to Members on the following national matters:-

- *Welsh Community Councils: non-compliant registers of interests – April 24;*

- *Auditors' call for improved member-officer relations at council 2nd year running – April 24;*
- *Statutory Guidance on best value standards and interventions – May 2024;*
- *Seven themes to define best value;*
- *Theme 4. Culture;*
- *Mooney v Information Commissioner (18 June 2024);*
- *The Appellant was not the Complainant;*
- *The balancing test in respect of the third-party complainants' personal data;*
- *Spelthorne Borough Council – Oct & Dec '24;*
- *SBC Standards Committee Minutes – Dec 24;*
- *English Devolution White Paper – Dec 24;*
- *Consultation following the White Paper – December 24;*
- *The Committee for Standards in Public Life backs stricter standards regime – March 25;*
- *£20,000 in damages to Parish Clerk over defamatory Facebook posts by Councillor – Feb 25;*
- *Back to Spelthorne Borough Council – Damning best value report – March 25;*
and
- *All about the money or culture of mistrust and broken relationships?*

The Committee **NOTED** the foregoing.

The meeting was declared closed at 11.12 am

Chairman

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