

STANDARDS COMMITTEE

23 January 2019

Present – Councillors Ireton (Chairman), Mason, Mercer, Solloway and Whitaker.

Parish Representatives (non-voting): Veronicka Dancer, Robert Stead.

Independent Persons (non-voting): Roger Millin.

Officers – Solicitor to the Council (Monitoring Officer), Committee Administrator and Clerical Assistant (Minutes).

Apologies for absence were received from Independent Person Peter Charlesworth and Parish Representative Michael Rooze.

Start: 6.30pm

Finish: 7.44pm

The minutes of the Committee's meeting held on 19 September 2018 were confirmed as a correct record and signed by the Chairman.

Minutes for Report

STN.352

AUDIT OF PARISH COUNCILS' REGISTER OF INTERESTS

The Solicitor to the Council (Monitoring Officer) submitted a report regarding the outcome of an extensive audit of Parish Councils' Register of Interests. The audit had raised a number of areas for concern.

The Solicitor to the Council (Monitoring Officer) referred to a review previously conducted where Members had agreed a shorter Register of Interests form and explained that the Audit showed that not many of the Parish and Town Councillors were not using the new form. She also expressed concern regarding Disclosable Pecuniary Interests not being properly declared, including details of home addresses and the interests of spouses. It was understood that it may be perceived as an invasion of privacy and the requirement may discourage potential candidates for the role of Councillor but disclosing interests was a legal obligation under the Localism Act.

The audit had also highlighted the number of Parish and Town Councils not publishing their Register of Interests.

The Chairman took advice from the Solicitor to the council about implicated changes to regulations surrounding Register of Interests on receipt of the outcome of the Public Life Review.

In discussing the concerns raised by the Solicitor to the Council (Monitoring Officer) the Committee highlighted personal security worries howbeit the requirement for disclosure and legal implications were appreciated.

The Solicitor to the Council (Monitoring Officer) gave Members a list of suggested actions which they discussed for suitability, and it was

- Resolved** – (1) That, the Solicitor to the Council (Monitoring Officer) writes to all Town and Parish Councils reminding them of what the Localism Act says and requires.
- (2) That, the Solicitor to the Council (Monitoring Officer) attends the upcoming Parish Liaison meeting and remind Parish Councillors of the legal requirement.
- (3) That, the Solicitor to the Council (Monitoring Officer) collaborates with the Returning Officer in discussing suitability for information regarding registering interests to be included in Nomination Packs.
- (4) That, the Solicitor to the Council looks into making information regarding registering interests more explicit on Craven District Council's website.

STN.353

ACTION TAKEN BY THE MONITORING OFFICER

The Solicitor to the Council (Monitoring Officer) submitted a report in respect of action taken to address a governance failing highlighted at a recent meeting of the Hearings Panel.

The governance failure identified was that the Chairman of Planning Committee decided unilaterally at a pre-meeting briefing that a representative from the Highways Authority would not attend a specified meeting of Planning Committee after the Committee had previously resolved that they would. The Monitoring Officer expressed confidence that had a solicitor been present at the briefing, this decision would not have been taken and therefore in order to address the governance failing the following arrangements had been put in place:

- (a) All pre-committee briefings to be organised by Democratic Services;
- (b) A solicitor (or suitably qualified and experienced legal advisor) to attend these briefings. Any governance issues discussed at a briefing to be reported to the Monitoring Officer, (unless the Deputy Monitoring Officer is present at the briefing).

Resolved – That, the action taken by the Monitoring Officer is noted.

STN.354

MEMBERS' CODE OF CONDUCT REVIEW

The Solicitor to the Council (Monitoring Officer) submitted a report asking the Committee to commence a review of the Code of Conduct for Members, whilst considering two areas requiring significant attention, namely:

- Amending the Code of Conduct to accommodate allegations once considered to have been outside the scope of the Code.
- The requirement to declare membership or past membership of a Masonic Lodge.

The Solicitor to the Council reminded Members that the Localism Act was quite clear in that the Codes of Conduct apply when 'acting' as a Councillor. Should the Committee be minded

to pursue this amendment, guidance should be sort after whether the amendment could be made lawfully.

A lengthy discussion regarding Freemasonry took place that included such topics:

- Significance of Masonry today.
- One section of society being singled out, should other clubs be required to disclose membership?
- Parity between Officer's and Member's requirement for declarations.
- Concern of the lifelong oath.
- Public confidence in the transparency of decision making.

It was evident the Committee felt strongly that the role of Councillor is twenty-four/seven and they wished for the Code of Conduct to reflect this.

Resolved – (1) That, the Committee were in favour of amending the Code of Conduct to accommodate allegations once considered to have been outside the scope of the Code. The Solicitor to the Council (Monitoring Officer) to work on this further.

(2) That, the question of declaring Freemasonry is deferred for the next meeting, Members to reflect on the discussion and the Solicitor to the Council (Monitoring Officer) to conduct further research into Freemasonry.

STN.355

MONITORING REPORT

The Solicitor to the Council submitted a report that presenting the Committee with details of two complaints received in the period since September 2018. One complaint had been found to be wide ranging with no further action required and the other, District Councillors seeking to confer an advantage/disadvantage.

Resolved – That, the Monitoring Report is noted.

STN.356

STANDARDS BULLETIN

The Solicitor to the Council (Monitoring Officer) submitted a report presenting the Standards Committee's Bulletin for the year 2018.

Members were reminded that the production of an annual Standards Bulletin was a good way for the Committee to continue to promote high standards of conduct across the Council.

Resolved – That, subject to the minor amendments now agreed the 2018 Standards Bulletin is approved for circulation.

Minutes for discussion

None

Chairman