

NORTH HERTFORDSHIRE DISTRICT COUNCIL

STANDARDS COMMITTEE

**Meeting held at the Council Offices, Gernon Road, Letchworth Garden City
on 16 May 2005 at 7.30 p.m.**

PRESENT: *Mr N. Moss (Independent Chairman)
Parish Councillor R. Wornham and Councillor S.K. Jarvis*

ALSO PRESENT: *Councillors Lawrence Oliver, R. Shakespeare Smith and R.A.C. Thake.*

IN ATTENDANCE: *Assistant Director – Legal and Democratic Services (Monitoring Officer) and
Senior Committee and Member Services Officer.*

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M.R.M. Muir.

2. MINUTES

RESOLVED that the Minutes of the meeting held on 28 February 2005 be approved as a true record of the proceedings and signed by the Chairman.

3. NOTIFICATION OF OTHER BUSINESS

No other items were presented for consideration.

4. DECLARATIONS OF INTEREST

No declarations of Interest were made.

5. PUBLIC PARTICIPATION

There was no public participation at this meeting.

6. REPRESENTATIONS ON PLANNING CODE OF GOOD PRACTICE

Further to Minute 16 of the meeting held on 28 February 2005, the Committee discussed the Planning Code of Good Practice to determine those areas which were causing difficulties, so that they could be addressed at the Workshop to be held on 20 June 2005. Each of the political groups had been invited to send a representative to the meeting to put forward the group's views and it was noted that the three groups had broadly similar views, although there were some differences. The following points were raised during the discussion:

- The Planning Code of Good Practice was too restrictive and out of kilter with the concept of democracy;
- Elected Members would be put in a position where they had to justify themselves to officers;
- Councillors would not be able to represent the views of their electorate, or communicate those views correctly in the planning process;
- The Planning Code of Good Practice could be interpreted as implying that Councillors were not being trusted to be open, clear and honest;
- Planning was a subjective matter and it was unlikely that a Councillor would approach an application without having formed a view based on local knowledge and the planning process, even though they might not have publicly espoused a view;
- If a Member were to gain any information relating to an application, it should be shared with the whole Committee or the decision could be open to question.

RESOLVED:

(1) That the workshop to be held on 20 June 2005 take the following format:

- (a) A presentation on the existing Planning Code of Good Practice;

- (b) Members to list the points where they did not agree with the Planning Code of Good Practice;
 - (c) Theme the aspects where Members Views were counter to the Planning Code of Good Practice, to provide a list of possible areas to be reviewed by officers;
- (2) That officers submit a further report to the Standards Committee which would be circulated to the political groups for comments before being finalised by the Standards Committee for possible onward submission to Council.

REASON FOR DECISIONS: To allow a workshop to take place on the Planning Code of Good Practice and a consensus to be reached on outstanding issues.

7. A CODE FOR THE FUTURE, CONSULTATION PAPER ON THE REVIEW OF THE CODE OF CONDUCT FOR MEMBERS

The Monitoring Officer submitted a report requesting the Committee's views in response to a consultation paper on the review of the Member's Code of Conduct, entitled: "A Code for the Future – an Introduction to the Code of Conduct for Members". A copy of the consultation questions and suggested responses was attached to the report at Appendix A.

RESOLVED: That the suggested responses to the consultation paper "A Code for the Future – an Introduction to the Code of Conduct for Members" as set out at Appendix A to the report be approved on behalf of the Council, subject to the following amendments:

Question 4 – Response should be that the ACAS definition of bullying was not appropriate as it was too specific and therefore inflexible;

Question 8 – The provision relating to disrepute should continue to be a broad provision, rather than restricted to criminal convictions and situations where criminal conduct had been acknowledged;

Question 14 – It was felt that there was no need for this provision within North Hertfordshire District Council;

Question 21 – The rules applying to prejudicial interests which arose through public service and membership of charities and lobby groups should be the same as membership of other bodies.

REASON FOR DECISION: To express the Council's views on the current consultation on a review of the Code of Conduct for Members.

8. DATE OF NEXT MEETING

RESOLVED: That Committee and Member Services canvass the Members of the Standards Committee on an appropriate date in September 2005 to consider the Planning Code of Good Practice.

The meeting closed at 9.15 pm.

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Chairman