

NORTH HERTFORDSHIRE DISTRICT COUNCIL

STANDARDS COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER,
COUNCIL OFFICES, GERON ROAD, LETCHWORTH GARDEN CITY
ON TUESDAY, 22ND OCTOBER, 2019 AT 7.30 PM**

MINUTES

Present: *Councillors Judi Billing MBE (Chairman), Ruth Brown (Vice-Chairman), Kate Aspinwall, Clare Billing, Sam Collins, David Levett, Sean Prendergast, Mike Rice, Martin Stears-Handscomb, Claire Strong and Richard Thake.*

Parish Councillors Helena Gregory and Dr Julia Magill MBE.

Nicholas Moss OBE (Independent Person) non-voting advisory role

In Attendance: *Jeanette Thompson (Service Director - Legal and Community), James Ellis (Legal Regulatory Team Manager) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

Also Present: *At the commencement of the meeting Councillor Paul Clark.*

1 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 11 seconds

Apologies for absence were received from:

- District Councillor Gerald Morris;
- Town Councillor Amy Bourke-Waite;
- Reserve Independent Person Peter Chapman.

2 MINUTES - 19 FEBRUARY 2019

Audio Recording – 1 minute 30 seconds

The Chairman apologised, on behalf of the Committee, Member and Scrutiny Team, that in Minute 14 Councillor Helena Gregory had been recorded as Councillor Lee Gregory.

RESOLVED: That, subject to the amendment of Minute 14 that Councillor Lee Gregory be amended to read Councillor Helena Gregory, the Minutes of the Meeting of the Committee held on 19 February 2019 be approved as a true record of the proceedings and be signed by the Chairman.

3 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 18 seconds

There was no other business notified.

4 CHAIRMAN'S ANNOUNCEMENTS

Audio recording – 2 minutes 38 seconds

- (1) The Chairman welcomed Parish Councillor Julia Magill MBE and Town Councillor Amy Bourke-Waite to the Committee, although noted that Town Councillor Amy Bourke-Waite was unable to attend the meeting;
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chairman drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

5 PUBLIC PARTICIPATION

Audio recording – 4 minutes 33 seconds

There were no presentations by members of the public.

6 STANDARDS MATTERS

Audio recording – 4 minutes 49 seconds

The Service Director – Legal and Community and Monitoring Officer presented the report entitled Standards Matters.

The following Members asked questions and entered into debate

- Parish Councillor Julia Magill;
- District Councillor Judi Billing;
- Independent Person Nicholas Moss;
- Parish Councillor Helena Gregory;
- District Councillor Ruth Brown;
- District Councillor Claire Strong;
- District Councillor Richard Thake;
- District Councillor David Levett.

In response to questions the Service Director – Legal and Community advised:

- That training regarding Planning and Licensing had to be undertaken before a Member could sit on those Committees. Code of Conduct training was not compulsory; however, Members were encouraged to attend other training.
- Dependent on the awaited response from Central Government to the Committee on Standards in Public Life's report and recommendations, Parish Councils would potentially have to adopt the model Code of Conduct. In response to the issue of offering training to Parish Councils, it was suggested that it would be better to see what the Government's response was to the recommendations; this was unlikely to be immediate and the position should be reviewed at the next meeting of the Committee in February.

Members commented that:

- Parish Councils should have the same code of conduct as the District Council;
- That the District Council is drawn into complaints that are based on the relationship between Parish Councillors and Parish Clerks.

RESOLVED: That the contents of the report entitle Standards Matters be noted.

REASON FOR DECISION: To ensure good governance within the Council.

7 PLANNING CODE OF GOOD PRACTICE

Audio recording – 28 minutes 44 seconds

The Legal Regulatory Team Manager and Deputy Monitoring Officer presented the report entitled Planning Code of Good Conduct together with the following appendices:

- Appendix A – Amended Planning Code of Good Practice;
- Appendix B – Comparison between NHDC Planning Code of Good Practice.

The Legal Regulatory Team Manager advised that an amendment was required to the first Paragraph on page 23 so that it read words to this effect:

“Don’t agree to any formal meeting with applicants, developers or groups of objectors if you can avoid it. You may act as a Ward advocate, however where you have acted as such, then you must not sit on, or be a substitute for that item at the Committee meeting. Where you feel that a formal meeting would be useful to clarify issues, you only arrange that meeting through the Development and Conservation Manager if she/he is able to organise one. If the meeting can be arranged, the Officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.”

The following Members asked questions and took part in the debate:

- District Councillor Judi Billing;
- District Councillor Sam Collins;
- District Councillor David Levett;
- District Councillor Richard Thake;
- District Councillor Claire Strong;
- District Councillor Mike Rice;
- Independent Person Nicholas Moss;
- Parish Councillor Julia Magill.

In response to questions the Service Director – Legal and Community advised that:

- The Code was trying to address pre-determination and bias;
- The exception was when acting as a Ward Advocate (so long as then did not sit on the Planning Control Committee or act as a sub for that item).

Members suggested a number of amendments to the document including:

- Amending the introduction to make clear that the Code applied to all Members, whether or not they were on the Planning Control Committee, but making it clear which parts did or did not apply to Ward Advocates;
- Amending the Introduction and the document throughout, to make clear the different roles of the Planning Control Committee Member and the Ward Advocate;
- Defining gifts and hospitality in amounts rather than stating “minimal”;
- Members agreed to email any other suggested amendment to the Legal Regulatory Team Manager to be considered.

RESOLVED:

- (1) That Members of the Committee be requested to email any suggested amendments to the Legal Regulatory Team Manager;
- (2) That, prior to consideration by Council, the Legal Regulatory Team Manager be requested to make amendments as suggested in consultation with the Chairman and Vice-Chairman of the Standards Committee and the Independent Person;
- (3) That, prior to consideration by Council, the Legal Regulatory Team Manager be requested to amend the first Paragraph on page 23 to read words to the effect:

“Don’t agree to any formal meeting with applicants, developers or groups of objectors if you can avoid it. You may act as a Ward advocate, however where you have acted as such, then you must not sit on, or be a substitute for that item at the Committee meeting. Where you feel that a formal meeting would be useful to clarify issues, you only arrange that meeting through the Development and Conservation Manager if she/ he is able to organise one. If the meeting can be arranged, the Officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.”

RECOMMENDED TO COUNCIL: That, subject to any amendment resulting from the resolutions above, the Planning Code of Good Practice as amended and contained at Appendix A be adopted.

REASON FOR DECISIONS: To ensure good governance within the Council and that the Council’s Planning Code of Good Practice remains fit for purpose and is consistent with best practice.

The meeting closed at 8.30 pm

Chairman