



Wednesday, 6 June 2012

## **STANDARDS COMMITTEE**

A meeting of **Standards Committee** will be held on

**Thursday, 14 June 2012**

commencing at **2.00 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

#### **Torbay Council**

Councillors Addis, Doggett, McPhail and Stocks

#### **Brixham Town Council**

Councillors: Boote, Lomas and Henderson

#### **Independent Members**

Messers: Branch, Bastow, Dalzell, Heath and Hutchinson

---

**Our vision is working for a healthy, prosperous and happy Bay**

---

For information relating to this meeting or to request a copy in another format or language please contact:

**Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR  
(01803) 207016**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)



# STANDARDS COMMITTEE AGENDA

1. **Election of Chairman/woman**  
To elect a Chairman/woman of the Committee for the 2011/2012 Municipal Year.

2. **Apologies**  
To receive apologies for absence, including notifications of any changes to the membership of the Committee.

3. **Appointment of Vice-Chairman/woman**  
To appoint a Vice-Chairman/woman of the Committee for the ensuing Municipal Year.

4. **Minutes**  
To confirm as a correct record the Minutes of the meeting of the Standards Committee held on 12 January 2011.

(Pages 1 - 2)

5. **Declarations of interest**

(a) To receive declarations of personal interests in respect of items on this agenda

**For reference:** Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of personal prejudicial interests in respect of items on this agenda

**For reference:** A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Democratic Services or Legal Services prior to the meeting.)

6. **Urgent items**  
To consider any other items that the Chairman decides are urgent.
7. **Communications**  
To receive any communications or announcements from the Chairman of the Committee.
8. **Standards Committee Terms of Reference and Appointment of Standards Sub-Committees** (Pages 3 - 5)  
To note the Terms of Reference for the Standards Committee and appoint the Standards Sub-Committees.



## **Minutes of the Standards Committee**

**12 January 2012**

**-: Present :-**

Councillors Addis, Doggett, McPhail and Stocks

Independent Members: Branch, Bastow, Dalzell, Heath, Hutchinson and Heath (Chairman)

Brixham Town Councillors: Boote and Lomas

---

### **460. Apologies**

An apology for absence was received from Brixham Town Councillor Henderson.

### **461. Minutes**

The Minutes of the meeting of the Standards Committee held on 9 June 2011 were confirmed as a correct record and signed by the Chairman subject to the inclusion of Brixham Town Councillor Lomas apology for absence being noted.

### **462. Update on Standards**

Members noted the report and the time frame for implementation of the new regime, in particular the date for the abolition of the old regime having changed from 31 March 2012 to 1 July 2012.

The Monitoring Officer advised Members that from 1 July 2012 the Independent Person cannot have been appointed as an Independent Person if they have within the past five years been a co-opted voting member of a Committee of the authority. He further advised the Independent Person role will be a consultative role with no voting powers.

The Committee further noted that should a members behaviour result in a complaint and consequent hearing the Standards Committee will not be able to apply any sanctions.

### **463. Survey of Public Attitudes Towards Conduct in Public Life 2010**

The Standards Committee noted the report which set out the findings of a survey conducted in 2010 on the public's attitude to standards in public life.

**464. Work Programme**

Members noted the Standards Committee Work Programme but queried how much could be completed due to the Committees imminent demise. It was suggested that should the Independent Members wish the observation of meetings could continue.

**465. Expression of Thanks**

The Chairman of the Committee noted that this meeting was more than likely to be the last meeting under this current regime and thanked all Councillors, Brixham Town Councillors, Independent Members and Officers for their time and support that had been shown to the Committee.

---

Chairman

## Standards Committee

### Membership

4 members of Torbay Council (2 Conservative and 2 Liberal Democrat), plus 4 named substitutes (2 Conservative and 2 Liberal Democrat), 3 Brixham Town Council Councillors plus 1 named substitute from Brixham Town Council and 5 independent members.

### Terms of Reference

1. To promote and maintain high standards of conduct by the Mayor, councillors, co-opted members and church and parent governor representatives;
2. To assist the Mayor, councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
3. To advise the Council on the adoption or revision of the Members' Code of Conduct;
4. To monitor the operation of the Members' Code of Conduct;
5. To advise, train or arrange to train the Mayor, councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
6. To grant dispensations where permitted by law to the Mayor, councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
7. To review the Council's local protocols;
8. To consider reports in relation to Ombudsman investigations;
9. To review the Constitution in relation to ethics and probity issues;
10. To advise others on probity and ethics;
11. To appoint sub-committees to deal with appointments of independent members, local assessment, investigation and determination of allegations of breaches of the Code of Conduct for Members; and
12. To share experience with other standards committees.

The Council may arrange for the Standards Committee to exercise such other functions as the Council considers appropriate.

### **Referrals Sub-Committee**

#### **Membership**

A pool of members (comprising the members of the Standards Committee and named substitutes) who can be drawn to serve on a sub-committee (normally comprising 2 independent members and 1 Torbay Councillor (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council).

#### **Quorum**

3 members of the Sub-Committee including at least 1 independent member and 1 Torbay Councillor (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council).

### **Review Sub-Committee**

#### **Membership**

A pool of members (comprising the members of the Standards Committee and named substitutes) who can be drawn to serve on a sub-committee (normally comprising 2 independent members and 1 Torbay Councillor (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council).

(Note: The members who sat on the original Referrals Sub-Committee will not be allowed to sit on the Review Sub-Committee dealing with the same complaint.)

#### **Quorum**

3 members of the Sub-Committee including at least 1 independent member and 1 Torbay Councillor (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council).

## Hearings Sub-Committee

### Membership

A pool of members (comprising the members of the Standards Committee and named substitutes) who can be drawn to serve on a sub-committee (normally comprising 2 independent members and 1 Torbay Councillor (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council.)

### Quorum

3 members of the Sub-Committee including at least 1 independent member and 1 Torbay Councillor (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council).

## Standards Appointments Sub-Committee

### Membership

A pool of members (comprising the members of the Standards Committee) who can be drawn to serve on a sub-committee (normally comprising 3 independent members and 2 Torbay Councillors (1 Conservative and 1 Liberal Democrat.)

### Quorum

3 members of the Sub-Committee including at least 1 independent member and 1 Torbay Councillor.