

NOTICE OF MEETING

MEETING	STANDARDS COMMITTEE
DATE:	WEDNESDAY 18 MARCH 2009
TIME:	7.00 pm
VENUE:	FORLI ROOM - TOWN HALL
CONTACT:	<i>Alex Daynes</i> <i>Telephone: 01733 452447</i> <i>e-mail address alexander.daynes@peterborough.gov.uk</i>
Despatch date:	<i>10 March 2009</i>

AGENDA

	PAGE NO
1. Apologies	
2. Declaration of Interests (if any) <i>At this point Members must declare whether they have an interest, whether personal or prejudicial, in any of the items on the agenda. Members must also declare if they are subject to their party group whip in relation to any items under consideration.</i>	
3. Minutes of the meeting held on 21 January 2009	1 - 4
4. Monitoring Officer's Report To receive and comment on a report form the Monitoring Officer	5 - 16
4.1 Actions Since Last Meeting	
4.2 Referrals / Complaints	
4.3 Work Programme	
4.4 Planning Committee Voting Analysis	
5. Date of Next Meeting (prov. 22 April 2009)	



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STANDARDS COMMITTEE

MINUTES OF MEETING HELD AT THE TOWN HALL, PETERBOROUGH 21 JANUARY 2009

Members Present:

Mr S Boast (Chair), Mr O Menendez, Mr R Nesbitt, Ms. A Smith, Mr D Whiles
Councillors Lane, Miners, Murphy, Todd and Trueman
Parish Councillors Batty

Officers Present:

Helen Edwards, Solicitor to the Council and Monitoring Officer
Carol Tilley, Senior Cabinet Officer

1. Apologies for Absence

1.1 Apologies for absence were received from Mr C Evans and Ms. B Fearon.

2. Declarations of Interest

2.2 There were no declarations of interest.

3. Minutes of Meeting held 3 December 2008

3.1 The minutes of the meeting held 3 December were approved.

4. Monitoring Officers' Report

1. Actions since last meeting:

The Committee noted that its response to the government consultation in respect of the Code of Conduct had been submitted by the deadline of 24 December 2008.

2. Referrals / Complaints:

It was noted that the third quarter return for the period ending 31 December 2008 had been submitted showing that six complaints had been received during the relevant period. The Committee further noted that since the last update, there had been one referral for a determination hearing by the sub-committee.

3. **Work Programme:**

3.1 Criminal Records Bureau (CRB) Checks for Elected Members:

At the last meeting, Members had agreed to recommend that CRB checks were undertaken for elected Members on the basis of a risk assessment. The Monitoring Officer advised that since that time, a complication had arisen as a result of the recommendations of the Joint Area Review of Haringey Children's Services following the 'Baby P' case. Members were informed that one of the recommendations from that review was as follows:

'whilst not a mandatory requirement, it would be good practice for the Local Authority to ensure that all elected Members have CRB checks'.

Members noted that this advice was at variance with advice previously received from the CRB which was that a blanket policy would be inappropriate. The Monitoring Officer stated that she was currently seeking clarification in this regard, and suggested that it would be unwise to refer the matter to Cabinet prior to the position being resolved. However, Members were asked to note that the CRB guidance would be likely to take precedence over the OFSTED recommendations and it would therefore be a sensible way forward for the Committee to proceed as intended in determining the contents of the risk assessment.

Members **AGREED** this approach and considered the proposed risk assessment process as set out in Appendix A of the report. During discussion, the following points were raised:

- (i) Concern regarding the level of officer resource required in developing a risk assessment approach;
- (ii) The feasibility of engaging an external provider to undertake independent risk assessments;
- (iii) The possibility of seeking comments from the CRB on the proposed model;
- (iv) Paragraphs 12 and 13 stated that a CRB check would be unlikely to be necessary for those whose roles brought them into occasional contact with vulnerable adults and / or children. It was suggested that this should be amended to reflect the Committee's view that this should apply to *unsupervised* contact;

Following discussion it was **RESOLVED** to:

- (i) Agree the proposed risk assessment process for considering CRB checks for elected Members, subject to an amendment being made at paragraphs 12 and 13 of the report - to include the word '*unsupervised*' as outlined in (iv) above.
- (ii) Agree that elected Members discuss proposals with other members of their respective groups and feedback comments and views;
- (iii) Request the Monitoring Officer, on receipt of clarification from CRB/OFSTED, to prepare a report outlining the Committee's recommendation to Cabinet.

3.2 Future Work Items:

During discussion, the following points were raised:

- Meeting dates (confirmed and provisional) for the remainder of the year;
- Training events and the possibility of including a training session as part of a full Council meeting, thus avoiding the need to identify an additional date;
- The timing and content of the Committee's annual report to Council;
- Local Democracy Week and involvement of the Youth Council.

Following discussion it was **RESOLVED** to:

- (i) Request the Monitoring Officer to prepare a draft Annual Update report for consideration at the next meeting (18 March);
- (ii) Invite Councillor Dalton (in his capacity as a representative of the Youth Council) to attend a future meeting;
- (iii) Invite those involved in organising Local Democracy Week to attend a future meeting to discuss arrangements for the event.

3.3 Planning Committee Voting Analysis:

The Committee considered the Planning Committee Voting Analysis records in respect of the meetings held 23 September 2008 and 21 October 2008. The Committee expressed concern that the analysis relating to the meeting of 21 October was incorrect and requested that this matter be addressed. A revised version would be submitted to the next meeting.

4. Consultation on New Code of Conduct for Members and Employees – Local Authority Publicity

Following discussion at the previous meeting, the Committee considered the DCLG consultation paper, focusing particularly on questions 1 to 16 (outlined at Annex A of the document). It was suggested that elected Members should seek input from colleagues within their respective groups prior to the submission of the final response.

It was **RESOLVED** TO:

- (i) Request the Monitoring Officer to compile draft responses to questions 1 to 16 for elected Members to discuss at their respective group meetings before the end of January;
- (ii) Request the Monitoring Officer to collate the views of all parties and circulate a draft response to Committee Members for comment prior to submission of the final response on or before 12 March 2009.

5. Date of Next Meeting

5.1 Members noted the date of the next meeting: 18 March 2009.

Meeting closed at 7.55 p.m.

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STANDARDS COMMITTEE	AGENDA ITEM 4
18 March 2009	PUBLIC REPORT

Contact Officer(s):	Helen Edwards, Solicitor to the Council	Tel: 01733 452539
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R E C O M M E N D A T I O N S
FROM : SOLICITOR TO THE COUNCIL & MONITORING OFFICER
<p>That the Standards Committee:</p> <ol style="list-style-type: none"> 1. notes the contents of this report 2. agrees to consider at its next meeting an analysis of complaints against members received for the year to 31st March 2009 as set out at para 2 below. 3. agrees to refer the issue of CRB checks to Cabinet as set out at para 3.1.3 below 4. agrees the content of the Annual Report to Council as set out at para 3.2 below 5. discusses it's future work programme and agrees items to be brought forward for the first meeting of the new municipal year 6. considers the planning voting analysis at para 4 below.

1. ACTIONS SINCE LAST MEETING

As agreed at the last meeting, the Committee's response to the government consultation in respect of the Code of Conduct for Members and Employees in respect of Local Authority Publicity was submitted by the deadline of 12th March 2009.

2. REFERRALS / COMPLAINTS

The fourth quarterly return, for the period ending 31st March 2009, is due to be submitted to the Standards Committee in early April. The first Annual Return is also due at the same time. It is proposed that the Standards Committee receives a report analysing complaints for the first year of the new regime, for consideration and discussion at its next meeting, following submission of these reports.

3. WORK PROGRAMME

3.1 CRB checks for elected members.

3.1.1

At the last meeting members agreed to recommend that CRB checks should be carried out for elected members on the basis of a risk assessment. The proposed risk assessment format was agreed.

3.1.2

There was a slight complication which was discussed, in that OFSTED had recommended, in a Joint Area Review of Haringey Children's Services Authority Area, that it would be good practice for a local authority to ensure that all elected members have CRB checks. The Monitoring Officer has since clarified the position with OFSTED, who have given the following response:

"Thank you for your email dated 12 January about Haringey joint area review's specific recommendation that elected members should have CRB checks.

We do concur with you that the local authority should do a risk assessment of each elected member in order to consider whether the individual falls within one of the prescribed categories, for which a CRB check can be requested where appropriate.

Inspectors have tried to qualify their judgement in this particular recommendation by stating that CRB checks (or indeed safeguarding training) for elected members is not a mandatory requirement. However, we acknowledge that the wording does not completely reflect the requirements. Nonetheless, I must stress that inspectors' final recommendations, were arrived at on the balance of issues emerging from all available evidence at the time of the inspection, before forming a professional judgement; it is for the Haringey in partnership with the Secretary of State to agree the appropriate steps to be taken to effect remedial action.

Please note that the position has now been clarified with Haringey."

3.1.3

It is recommended that the Standards Committee now refers the matter to Cabinet seeing their agreement to proceed on the basis of a risk assessed approach to CRB checks for members.

3.2 Annual Report to Council

It was agreed at the last meeting of Standards Committee that the Committee should produce an Annual Report to be tabled during the Council meeting in April 2009. It is recommended that the report should contain the following items:

- (i) a summary of the training undertaken by the Standards Committee during 2008/9
- (ii) role of the Standards Committee in promoting high ethical standards
- (iii) a summary of the proposals for training for all members during the municipal year 2009/10

- (iv) a summary of the complaints received, and the handling of them by the Standards Committee, in the first year of the new Standards regime
- (v) Chairman's summary of the year, and proposals for the coming year, including plans/ ideas for local democracy week.

3.3 Future work items.

3.3.1

There are no remaining meetings in this municipal year, unless the Committee chooses to hold the meeting provisionally set for 22nd April. Dates of meetings have not yet been confirmed for the next municipal year, but are likely to be held in June, September, November, January and March, with provisional meetings set for the other months, in case they should be required.

3.3.2

Members should note that since Local Democracy Week is in June 2009, they may need another meeting before the meeting planned for June if they wish to actively promote Local Democracy week, and invite Councillor Dalton to a meeting to determine how the Committee might provide support.

3.3.3

Draft proposals at present for the following municipal year are as follows:

June 2009	(1) Consider Standards Committee experience of first year of new standards regime, discuss complaints received and handling of them, consider procedural changes to system of handling complaints. (2) Consider role of Committee in further promoting high standards of ethical behaviour within the Council
September 2009	(1) Training event for Standards Committee – case study of a Standards Complaint / more in depth understanding / updating of knowledge
November 2009	
January 2010	
March 2010	(1) Consider Annual Report to Council (2) Make preparations for Local Democracy week 2010

4. PLANNING COMMITTEE VOTING ANALYSIS

The Planning Committee voting analysis is attached at Appendix A.

5. FINANCIAL IMPLICATIONS

There are no specific financial implications to this report.

6. LEGAL IMPLICATIONS

These are dealt with in the body of the report.

7. WARD COUNCILLORS

The contents of this report are not ward specific.

Background Papers

In accordance with the Local Government (Access to Information) Act 1985, background papers used in the preparation of this report were:-

None.

**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE 23 SEPTEMBER 2008 at 13:30**

Application Number	Site Description	Outcome	Vote	Conservative								Ind		
				Cllr Todd	Cllr C Burton	Cllr C Day	Cllr Kreling	Cllr Thacker	Cllr Benton	Cllr Walsh	Cllr Ash	Cllr Lane		
08/00561/OUT	Land at the end of Clay Lane, Castor, Peterborough	Approved officer recommendation approved	8 for 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
08/00892/REM	157-161 Fletton Avenue, Fletton, Peterborough, PE2 8BD	Refused contrary to officer recommendation	3 for 5 against 1 NV	NV	✓		X		X	X			X	✓
08/00898/OUT	Peterborough Regional College, Crescent, Peterborough, PE1 4DZ	Approved officer recommendation approved	8 for 1 NV	NV	✓		✓		✓	✓			✓	✓

**NB NP = Not Present
NV = No Vote**

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**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE 21 OCTOBER 2008 at 10:00**

Application Number	Site Description	Outcome	Vote	Conservative							Ind				
				Cllr Todd	Cllr Hillier	Cllr C Burton	Cllr Kreling	Cllr Cereste	Cllr Benton	Cllr Walsh	Cllr Morley	Cllr Ash	Cllr Lane		
06/01051/FUL	Land near Nuts Grove Farm, Scolding Drive, Thorney, Peterborough	Refused officer recommendation approved	8 for, 1 NV, 1 NP	NV	✓	✓	✓	NP	✓	✓	✓	✓	✓	✓	✓
07/01411/FUL	Land South of French Drive and East of Scolding Drive, Wrydecroft, Peterborough	Refused officer recommendation approved	8 for, 1 NV, 1 NP	NV	✓	✓	✓	NP	✓	✓	✓	✓	✓	✓	✓
07/01905/OUT	Guild House, Oundle Road, Woodston, Peterborough	Approved officer recommendation approved	6 for, 3 NV, 1 NP	NV	✓	NV	✓	✓	NP	✓	✓	✓	✓	✓	✓
08/00438/FUL	Peterborough City Lawn Tennis Club, Park Crescent, Peterborough	Defer pending further information	Unanimous												
08/00518/FUL	Power Engineering, Second Drive, Fengate, Peterborough	Approved officer recommendation approved	8 for, 1 NV, 1 NP	NP	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
08/00721/R3FUL	The Corn Exchange, 22-24 Church Street, Peterborough	Approved officer recommendation approved	6 for, 2 against, 1 NV, 1 NP	NV	✓	✓	✓	NP	✓	✓	✓	✓	✓	✓	X
08/00722/CON	The Corn Exchange, 22-24 Church Street, Peterborough	Approved officer recommendation approved	6 for, 2 against, 1 NV, 1 NP	NV	✓	✓	✓	NP	✓	✓	✓	✓	✓	✓	X

**PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE 21 OCTOBER 2008 at 10:00**

Application Number	Site Description	Outcome	Vote	Conservative								Ind			
				Cllr Todd	Cllr Hillier	Cllr C Burton	Cllr Kreling	Cllr Cereste	Cllr Benton	Cllr Walsh	Cllr Morley	Cllr Ash	Cllr Lane		
08/00489/OUT	Faith, Geneva Street, Peterborough	Approved officer recommendation approved	9 for, 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
03/00880/REM	Land Between 105&113 Thorpe Road, Peterborough	Approved officer recommendation approved	9 for, 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
08/00712/FUL	The Grove, 18 Grove Lane, Longthorpe, Peterborough	Approved officer recommendation approved	6 for, 3 against, 1 NV	NV	✓	X	✓	✓	✓	X	✓	✓	✓	✓	X
08/01101/FUL	10 Black Swan Spinney, Wansford, Peterborough	Approved officer recommendation approved	8 for 1 NV, 1 NP	NV	✓	✓	✓	NP	✓	✓	✓	✓	✓	✓	✓
08/01017/FUL	3 Bretton Court, Rightwell, East Bretton, Peterborough	Approved officer recommendation approved	9 for, 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
08/00131/FUL	30 Windsor Drive, Stanground, Peterborough	Refused officer recommendation approved	7 for, 2 NP, 1 NV	NV	✓	✓	✓	NP	✓	✓	NP	✓	✓	✓	✓

**NB NP = Not Present
NV = No Vote**

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

DATE 18 NOVEMBER 2008 at 13:30

Application Number	Site Description	Outcome	Vote	Conservative								Ind			
				Cllr Todd	Cllr Hillier	Cllr C Burton	Cllr Kreling	Cllr Cereste	Cllr Benton	Cllr C Day	Cllr Thacker	Cllr Ash	Cllr Lane		
07/01763/R4OUT	Former John Mansfield School Remote Playing Field, Poplar Avenue, Dogsthorpe, Peterborough	Approved officer recommendation approved	8 for, 1 NV, 1 NP	NV	✓	✓	✓	✓	✓	✓	✓	NP	✓	Cllr Ash	Cllr Lane
08/00438/FUL	Peterborough City Lawn Tennis Club, Park Crescent, Peterborough, PE1 4DX	Refused Contrary to officer recommendation	8 against, 2 NV	NV	X	X	X	X	X	NV	X	X	X	X	X
08/01103/FUL	67-69 Mayors Walk, West Town, Peterborough, PE3 6EX	Approved officer recommendation approved	8 for, 1 NV, 1 NP	NV	✓	✓	✓	✓	✓	NP	✓	✓	✓	✓	✓

NP = Not Present

NV = No Vote

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

DATE 16 DECEMBER 2008 at 13:30

Application Number	Site Description	Outcome	Vote	Conservative								Ind			
				Cllr Todd	Cllr Hillier	Cllr C Burton	Cllr Kreling	Cllr Nawaz	Cllr Benton	Cllr C Day	Cllr Walsh	Cllr Ash	Cllr Lane		
07/01769/R4OUT	Northern part of Hereward Community College, Reeves Way, Peterborough	Approved officer recommendation approved	9 for, 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
07/01807/FUL	Southern part of Hereward Community College, Reeves Way, Peterborough	Approved officer recommendation approved	9 for, 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
08/01120/FUL	78-80 Welland Road, Peterborough	Approved officer recommendation approved	8 for, 1 against, 1 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X
08/01383/R3FUL	Land at Church Street including Corn Exchange, St Johns Church, Cathedral Square and area adjacent to Miss Pears	Approved officer recommendation approved	8 for, 2 NV	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NV
08/01233/FUL	1085 Bourges Boulevard, Peterborough	Approved officer recommendation approved	5 for, 3 against, 2 NV	NV	✓	X	✓	✓	✓	X	✓	✓	✓	✓	✓

NP = Not Present

NV = No Vote

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE												
DATE 17 FEBRUARY 2009 at 13:30												
Application Number	Site Description	Outcome	Vote	Conservative							Ind	
				Cllr Todd	Cllr Hillier	Cllr C Burton	Cllr Kreling	Cllr Cereste	Cllr C Day	Cllr Walsh		Cllr Ash
08/01471/FUL	Werrington Centre, Staniland Way, Werrington, Peterborough	Approved officer recommendation approved	8 for 1 NP	√	√	√	√	√	√	√	√	NP

NP = Not Present
 NV = No Vote

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