

MINUTES OF A MEETING OF THE ESSEX COUNTY COUNCIL AND ESSEX FIRE AUTHORITY JOINT STANDARDS COMMITTEE HELD AT COUNTY HALL, CHELMSFORD, ON 14 MARCH 2016 AT 2:00 pm

1. Present

Cllr T Cutmore (Chairman)	Cllr C Guglielmi
Cllr S Barker	Cllr T Higgins
Cllr A J Bayley	Cllr M McEwen
Cllr T Durcan	Cllr C C Pond

The following officers were present in support throughout the meeting: Paul Turner (Deputy Monitoring Officer) and Andy Gribben (Council and Member Support Officer);

2. Apologies and Substitution Notices

Apologies for absence were received from Essex County Councillor J Pike and Essex Fire Authority representatives Councillors J Moyies and Lady Newton.

Apologies were also received from the Council's two Independent Persons Mr N Hodson and Mr J Swan.

3. Chairman of the Committee

It was noted that Councillor Cutmore had been appointed as Chairman of the Essex County Council and Essex Fire Authority Joint Standards Committee. Members congratulated him on his appointment.

4. Declarations of Interest

Councillor T Higgins wished to declare an interest as she had noted that the appendix to the report SC/01/16, erroneously, did not list her husband Peter Higgins as being a Councillor. It was also noted by the Members of the Committee present that there appeared to be another omission, that of the wife of Councillor Ivan Henderson, Councillor Jo Henderson. Councillor Henderson not being a member of the committee or present to confirm the fact, and as there may be other omissions or corrections to be made, the Deputy Monitoring Officer undertook, after the meeting, to re-examine the appendix and compare it to the Registers of Interest submitted by Members.

5. Minutes

The minutes of the meeting held on 21 December 2015 were approved and signed as a correct record subject to a correction to show that Councillor Durcan had been present.

It was also noted that the minutes Essex County Council and Essex Fire Authority Hearing Sub-Committee that had been held on 12 February 2016 had been published online.

6. Dispensations for County Councillors who are also District Councillors or Members of the Essex Fire Authority

The Committee considered a report (SC/01/16 and appendix) by Paul Turner - Corporate Lawyer and Deputy Monitoring Officer, Essex County Council regarding applications for a dispensation from members of the County Council as a result of membership of a district council or the Essex Fire Authority or other authorities.

The Deputy Monitoring Officer explained that the recommendations in the report arose because of the possible need for Members to disclose pecuniary interests arising from their membership of other authorities.

In response to questions from Members it was clarified that declarations should include any position held by Members on another authority including City, District, Borough, Parish or Town Councils if that position resulted in any allowance or remuneration. Additionally, declarations should include any external body (ie not an outside body that was a jointly managed by ECC and another) in which the Member had a position of management or control.

It was also noted that it had been recommended by the Joint ECC and EFA Standards Hearing Sub-Committee in February that all Members should be contacted twice a year in order that they should review their declarations of interest and update or amend accordingly. It was further proposed by the Deputy Monitoring Officer that the first of these twice-yearly reminders to update should be in May following the District elections.

The Deputy Monitoring Officer informed Members that he was preparing detailed guidance that he would be sharing with Members and Monitoring Officers from other Authorities in Essex.

Amendments to the resolutions, to take account of the various circumstances that had arisen in discussion, were agreed and it was

Resolved:

That:

1. The committee grant a Dispensation to County Councillors named in the appendix to the report (subject to any corrections to be made after the meeting and other than those Members present) to allow them to participate in decision-making and scrutiny at Essex County Council notwithstanding the fact that they or their spouse or partner is a member of a District Council or any other Authority including City, District, Borough, Parish or Town Councils or the Essex Fire Authority other than as set out in paragraph 2.
2. The Dispensation does not apply to:
 - (a) the consideration of any approval, consent, licence, permission or registration in relation to that authority; or
 - (b) the award of a contract to that authority following a competitive procurement.

3. The Dispensation should last for a period of 4 years.
4. The Monitoring Officer and Deputy Monitoring Officer each be authorised to grant dispensations to members in similar terms and/or relating to membership of any public body.

7. Review of the Member Code of Conduct

The Committee considered a report (SC/02/16 and appendix) by Paul Turner - Corporate Lawyer and Deputy Monitoring Officer - Essex County Council that revised the Code of Conduct for Members as shown as an appendix to the report.

The Deputy Monitoring Officer drew Members' attention to the redefinition of Interests such that they should be entitled and defined as Personal Interests and Disclosable Pecuniary Interests. Members also noted his remarks concerning clarifications of and anomalies in the Essex Code and that it was his intention that these matters should be resolved, as detailed in the report, in the revised draft code.

Members also particularly took note of the two issues identified in paragraph 3.8 of the report specifically to

- a) reintroduce the breach of 'Bringing the office of Councillor into disrepute' and
- b) the introduction of the requirement of Members to register contracts between Councillor and a company owned by the Council

Members requested that a list be sent to all Members bringing to their attention those companies owned by the Council so they could consider if they needed to declare an interest. It was noted that at the time of the meeting there were only four, but the numbers would be likely to increase as commissioning increased. It was also requested that the revised code have an appendix that listed these companies.

It was further agreed, after discussion, that under the general obligations of Members to treat others with respect the draft code be amended to make specific reference to the abuse of Social Media as well as in other forms of communications.

The Monitoring Officer would ensure that all Members were consulted and then the revised code would be brought to the Annual Meetings of both the Council and the Essex Fire Authority or, if that were not possible, to a meeting of those Authorities at the earliest opportunity.

Resolved:

1. That the draft code is the subject of consultation with all members of the County Council and the Fire Authority and with the Independent Persons
2. That the Joint Committee recommends to Essex County Council and the Essex Fire Authority that the revised draft code is adopted subject to any

changes agreed by the ECC Deputy Monitoring Officer in consultation with the Chairman of the Joint Committee as a result of the consultation.

8. Dates of next meetings

Members agreed that, to enable Members to manage their diaries, meetings of the committee should be scheduled to occur at six-monthly intervals, subject to cancellation if no business should arise.

There being no further business the meeting closed at 3:15pm.

Chairman