

STANDARDS COMMITTEE

**Minutes of the meeting held on 25 November 2021 at 7.00 pm
in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

Present: Mr Peter Tucker (Chair); Councillors J Bayford, Braidwood, Crittenden, Dexter, Duckworth, Fellows, Kup, Scobie, Quittenden (Minster Parish Council) and Peter Lorenzo (Independent Member of the Standards Committee)

1. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Crow-Brown and Mr Lee Wellbrook.

2. MINUTES OF PREVIOUS MEETING

Mr Tucker proposed, Cllr Scobie seconded and members AGREED that the minutes of the meeting held on 24 June 2021 be approved and signed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. RECOMMENDATIONS FROM STANDARDS ASSESSMENT SUB-COMMITTEE

Estelle Culligan, Director of Law and Democracy, introduced the report.

During discussion it was noted that:

- The Standards Assessment sub-committee had seen that there was a lack of understanding among some town, parish and district councillors regarding declarations of interest.
- The sub-committee had expressed a desire to offer training, through a variety of sources, to all district, town and parish councillors.
- It was noted that the Code of Conduct precedes social media and that it should be updated with the latest guidance on social media published by the LGA prior to the training, to ensure they align.
- The distinction was made that members can be part of a pressure group, but that they need to be thoughtful around what they say in decision making meetings and always come to a meeting with an open mind.
- Training could not be made compulsory unless an investigation found a breach of the Code of Conduct and sanctions were imposed that included a requirement to attend training.
- The Council would encourage members to attend the training and try to be flexible, offering a variety of ways to undertake it.

Cllr Fellows proposed, Cllr Jill Bayford seconded and members AGREED to recommend to Full Council that:

The existing Guide to Social Media in Part 5 of the Constitution, "Codes and Protocols" is updated in light of recently published Guidance by the LGA about Code of Conduct issues and specifically councillors' use of social media

The Committee also AGREED that:

Training should be offered to councillors on declarations of interests and issues about membership of social media groups, to include independent persons and town/parish councillors.

5. RECOMMENDATIONS OF THE CONSTITUTIONAL REVIEW WORKING PARTY

The recommendations in this report were considered by the Constitutional Review Working Party on 11 November 2021.

Estelle Culligan presented the report noting that:

- The first recommendation was to make a change to the Constitution affecting the circumstances in which certain applications would be put before the Planning Committee.
- This change was set out in order to resolve an ambiguity of wording that existed in the Constitution.
- This proposal followed a judicial review decision that resulted in a planning permission being quashed, due to the Judge's statement that there was the possible perception of bias in the interpretation of the existing wording.

Cllr Kup proposed, Cllr Duckworth seconded and members AGREED to recommend to Full Council:

- 1 To amend Part 3 Section C of the Constitution, "COUNCIL FUNCTIONS CARRIED OUT BY COMMITTEES", as follows (additional words in bold italics):

"2.2 Within the policies laid down by the Council, the Committee will:

2.2.1 Determine individual applications for planning permission and any other application made under planning legislation where:

- a) It is an application which the Director of Housing and Planning or Planning Applications Manager In consultation with the Chairman or Vice Chairman of the Planning Committee, considers to be of significant public interest;
- b) It is an application which Council Members have specifically requested to be referred to the Planning Committee in accordance with the requirements of any Member's Call in Procedure from time to time approved by the Council (set out in the Protocol for the Guidance of Planning Committee Members and Officers);
- c) The application has been submitted by or on behalf of a Member or an Officer of the Council;
- d) It is an application by or on behalf of Thanet District Council ***or on land owned by Thanet District Council or any company of which Thanet District Council is a party.***

- 2 To agree to recommend to Council to amend Article 8 of the Council's Constitution as follows (amended words in bold italics):

"8.02 No member or substitute member of the General Purposes Committee, Planning Committee or the Licensing Board will be allowed to take their seat on the committee unless they have received relevant, appropriate, up-to-date training.

8.03 In relation to the Planning Committee this is attending at least one training session run by the Council's Planning team every ***year***. In relation to the Licensing Board this is attending at least one training session run by the Council's Licensing team every ***year***. In relation to the General Purposes Committee this is attending at least one training session run by the Council's Monitoring Officer at least every ***year***."

- 3 To agree to recommend to delete paragraph 5 regarding Training, from the "Council's Protocol for the Guidance of Planning Committee Members and Officers", as the paragraph is made redundant by Article 8. Paragraph 5 states:

“Council appoints members to the Planning Committee at the Annual Meeting and is legally required to give preference to the nominations of the political party groups in order to achieve political balance. This will take priority over any other requirement that the Council may wish to impose on the appointment of members to the Planning Committee, such as a requirement that a member will first receive training. However, it is expected that all members of the Planning Committee (including substitute members) will participate in initial and regular update training and members who are not willing to do so should decline to be appointed to the Planning Committee.”

6. CHAIR'S REPORT

The Chair gave a verbal update noting that he welcomed the clarification that the recommendations agreed in item 4 would bring.

7. STANDARDS COMPLAINT STATISTICS

Members noted the statistics.

Meeting concluded : 7.30 pm