

DARTMOOR NATIONAL PARK AUTHORITY
STANDARDS SUB-COMMITTEE

Annual Report 2019/20

1 Introduction

The Localism Act 2011 introduced a statutory framework for standards in local authorities.

In accordance with this legislation, Dartmoor National Park Authority maintains a Standards sub-committee, constituted from the Authority's Audit & Governance Committee.

2 Annual Report

This Annual Report concerns the work of the Standards sub-committee for the period from the Annual Meeting of the Authority in July 2019 to November 2020. The report covers an extended period due to the meeting scheduled for May 2020 being cancelled due to the coronavirus pandemic. The purpose of the Annual Report is to summarise the activities of the sub-committee, including:

- (a) considering and determining Code of Conduct complaints against Members;
- (b) promoting high standards of conduct by Members of the Authority; and
- (c) assisting Members of the Authority to observe the Code of Conduct.

3 Membership

The Standards sub-committee comprises:

- Six members of the Audit & Governance Committee (as agreed at the Annual Authority meeting held on 14 June 2019), of whom at least two shall be Members appointed by a local authority:
 - Mr Cooper (Chairman), Mr Harper, Mr Nutley, Mr Sanders, Mr P Vogel, Mr D Webber and Ms Woods
 - At the Annual Meeting in June 2019, eight members were appointed to the Standards sub-committee. Dr R Parkinson has since left the Authority.
- Up to three co-opted persons, as approved by the Authority, who shall have the right to receive the agenda and papers for meetings of the sub-committee, and to attend and participate at meetings of the sub-committee, but not to vote on any issue:
 - None

The Independent Person(s) appointed by the Authority pursuant to s.27(7) Localism Act 2011 are invited to attend meetings of the sub-committee and participate, but the legislation does not allow them to be a member or co-opted member of the sub-committee, nor are they entitled to vote on any issue.

In accordance with legislation¹ that came into force from 4 April 2020, the Authority deferred its Annual Meeting that would have taken place in June 2020. Therefore, appointments that would otherwise have been made at that meeting continue until the next Annual Meeting of the Authority or until such time as the Authority may determine.

4 Role

The terms of reference for the Standards sub-committee are set by the Authority as follows:

- *to promote high standards of conduct by Members and officers;*
- *to advise the Authority on the adoption of a Code of Conduct pursuant to s.27(2) Localism Act 2011*
- *to assist Members to observe the Code of Conduct*
- *to consider and determine complaints against Members under the Code of Conduct*

Standing Orders also state that without prejudice to its general functions, the Standards sub-committee shall have the following specific duties:

- (a) to monitor the operation of the Code of Conduct;*
- (b) to advise, train and arrange to train Members on matters relating to the Code of Conduct;*
- (c) to promote high standards of conduct within the Authority, through observation, advice and training;*
- (d) to monitor complaints alleging non-compliance with the Code of Conduct*
- (e) to hear and determine allegations of non-compliance with the Code of Conduct, as requested by the Monitoring Officer*
- (f) to consider and advise on other matters relating to conduct, ethics and propriety as requested by the Monitoring Officer;*

5 Independent Persons

The appointed Independent Persons for the Authority are currently Mrs Catherine Shewan and Mr Nigel Tigwell.

6 Monitoring Officer

The Authority's Monitoring Officer is Neil White, Head of Organisational Development. The Monitoring Officer is appointed by Members under section 5 of the Local Government Act 2000, and in respect of his duties as Monitoring Officer is accountable directly to Members.

The Monitoring Officer has a statutory duty to report to the Authority on any proposal, decision, or omission by the Authority, or a committee or sub-committee or an officer of the Authority, which has given rise to, as is likely or would give rise to:

- (1) a contravention of law or any code of practice made or approved by or under an enactment; or*
- (2) maladministration or injustice... in connection with action taken by or on behalf of the Authority, in the exercise of the Authority's administrative functions.*

The Monitoring Officer also has an important role in advising on governance arrangements, ensuring probity, upholding standards in public life and in particular advising Members on issues arising in connection with Standing Orders, the Scheme of Delegation, declaration of interests and the Code of Conduct.

7 Activity

There have been no formal complaints received under the Code of Conduct.

The introduction of remote meetings has been supported by the development of a Formal Meetings Protocol using video conferencing software (Lifesize). The Monitoring Officer arranged trial meetings to provide Members with an opportunity to familiarise themselves with the way remote meetings would be conducted.

In October 2020, the Monitoring Officer wrote to two Members following concerns that had been brought to his attention regarding development management procedures. The Monitoring Officer reminded those Members of the established procedures, in particular the Authority's Good Practice Guide for Members and offered further training and support.

The Independent Persons have continued the practice of attending meetings of the Authority and its committees as an observer, doing so remotely due to the revised working arrangements, providing useful feedback on behaviour observed at meetings.

The Standards sub-committee has met on one occasion since July 2019 – on 1 November 2019. The meeting was well attended. The observation reports completed by the Independent Person are considered at each meeting of the sub-committee and these reports have not identified any other significant concerns during this year.

8 Advice & Training

All Members are encouraged to seek advice whenever they are unsure about a possible pecuniary, personal or prejudicial interest, as well as any suggestion that they might be disqualified from participation in an item of business by pre-determination (having a closed mind).

9 Future Work

The Standards sub-committee will meet twice annually, normally on the same date as a meeting of the Audit & Governance Committee in May and November each year. The particular focus for 2020/21 will be:

- (a) continuing with a programme of observations at meetings
- (b) promoting high standards of conduct by Members of the Authority

Andrew Cooper
Chairman 2019/20

¹ The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

