

MINUTES

of the

GOVERNANCE COMMITTEE

held on 14 October 2020 at 7pm

Present:

Councillor H. Ayres (Chair)

Councillors R.H. Ambor, K. Bentley, N.A. Dudley, D.G. Jones, A. Sosin, N.M Walsh and I. Wright

Also in attendance –
Parish Councillors Chiswell and Saltmarsh
Designated Independent Person
Mrs P. Mills

1. Apologies for Absence and Substitutions

Apologies for absence were received from Parish Councillor Jackson.

2. Minutes

The minutes of the meeting held on 17 June 2020 were agreed as a correct record and signed by the Chair.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

No questions were asked or statements made.

5. Chairs Announcements

No announcements were made.

6. Monitoring Officer Report

The Committee received a report updating them on progress with standards regime issues. It was noted by the Committee that five new complaints had been received relating to one Parish Council, these had been subject to consultation with an Independent Person. The

Committee heard that the decision had recently been issued for reference 7/20 and it had been decided that no further action had been required. The Committee was also informed by the Monitoring Officer that no update had yet been received on the model code of conduct

RESOLVED that;

1. the report be noted and;
2. the current statistical information as to complaints made be published on the Councils website.

(7.04pm to 7.06pm)

7. Senior Responsible Officer's Report in relation to the Council's RIPA arrangements

The Committee received a report which updated them on the Council's RIPA arrangements and the outcome of a recent inspection by the IPCO. The Committee was reminded that due to a change in the threshold used, Chelmsford along with many other local Councils had not used RIPA for a while and again it had been a nil return for 2019/20. It was noted that the Council needed to continue to be aware of RIPA and the laws surrounding it. The Committee was informed that a remote RIPA inspection had recently taken place and the new policies had been consulted on with IPCO during the inspection. It was also noted that the inspection and audit had been completed with no concerns and some recommendations for further training and an audit on social media.

In response to questions from the Committee it was noted that;

- The wording at paragraph 2.2 of the updated policy would be clarified.
- The use of Covert Human Intelligence Sources was very rare across Councils.
- The acquisition of Communications data did not need to go through the Court system anymore due to a different way of authorising the process.

RESOLVED that;

1. the report be noted and;
2. the wording at paragraph 2.2 of the policy be further reviewed and updated by the Senior Responsible Officer prior to Council approval.

(7.07pm to 7.18pm)

8. Report from the Council's Constitutional Working Group in relation to changes recommended to the Council's Constitution

The Committee considered a report from the Constitutional Working Group which proposed three changes to the Constitution, it was noted that these had cross party support. The Committee heard that Cabinet would also be consulted on the changes before final consideration by Full Council in December. It was noted that the three changes related to an officer delegation for Licensing, new wording on the provision of working groups and

amendments to motions. These changes were detailed in the report being considered by the Committee.

In response to questions and comments from the Committee, it was noted that;

1. The membership of working groups would, where possible, have cross-party representation. Appointments were made by relevant group leaders and whilst any other member could attend a meeting they would not be permitted to speak.
2. That paragraph 4.1.12.1 (h) be amended to include the “short amendment to a Motion” referred to in paragraph 4.1.13.9

RESOLVED that;

1. the changes set out in the report at paragraphs 2.1 and 2.2 are recommended to Council and;
2. the change set out at paragraph 2.3, be recommended to Council with the slight amendment to paragraph 4.1.12.1(h) to read “a short amendment to a Motion as set out in rule 4.1.13.9 and to amend an amendment to a motion”

(7.19pm to 7.31pm)

9. Annual Whistleblowing Report

The Committee received a report updating it on the operation of the Council’s Whistleblowing Policy and Procedure. It was noted by the Committee that five reports had been made and this was a similar level to previous years.

RESOLVED that the report be noted.

(7.31pm to 7.32pm)

10. Complaints to the Local Government and Social Care Ombudsman – Annual Review

The Committee considered a report containing information on the number of Ombudsman complaints received by Chelmsford City Council over the last year. A letter from the Local Government Ombudsman dated 24 July 2020 and summaries of the Council’s performance were attached as appendices 1-2 to the report.

RESOLVED that the report be noted.

(7.32pm to 7.33pm)

11. Best Practice Recommendations from Committee on Standards in Public Life Update Report

The Committee received a report updating them on progress with the 15 best practice recommendation from the Committee on Standards in Public Life. The Committee was informed that in relation to items 1-3 and 5 these would be dealt with when the Council considered adoption of the Model Code of Conduct. The Committee noted that the other recommendations were now all in place. In response to a query from a member of the Committee, it was confirmed that the Committee and the Council would both have the opportunity to consider and comment on the model code before it could be adopted by the Council.

RESOLVED that the report be noted.

(7.33pm to 7.41pm)

12. Work Programme

The Committee received a report informing them of their future work programme. The Committee agreed to move the RIPA update scheduled for March 2021 to October 2021 so it would be in line with other annual reports considered by the Committee. The Committee was also reminded that at its next meeting they would look at the model code of conduct, providing it was available in time.

RESOLVED that the report be noted.

(7.42pm to 7.44pm)

13. Urgent Business

There were no matters of urgent business to discuss

The meeting closed at 7.44pm.

Chair