

CUMBRIA POLICE AUTHORITY

STANDARDS COMMITTEE

Minutes of a Meeting of the Standards Committee held on Monday 28 November 2005 in Conference Room 1, Police Headquarters, Carleton Hall, Penrith commencing at 11.00 am.

PRESENT

Mrs C A Egan
Mr J K Fryer
Mr J Nicholson

Mr M C Tonkin
Mr R Watson

Also Present:

Deputy Monitoring Officer (Stuart Edwards)

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Ms J Lashmar and Mr J Woolley.

13. APPOINTMENT OF CHAIR FOR THE MEETING

In the absence of the Chair of the Committee the Deputy Monitoring Officer asked Members to appoint a Chair for the meeting.

Mr Tonkin, seconded by Mrs Egan, nominated Mr K Fryer. There were no other nominations.

RESOLVED, that Mr K Fryer be appointed Chair for the meeting.

Mr Fryer in the Chair.

14. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda for which the press and public were to be excluded.

15. DISCLOSURE OF PERSONAL INTERESTS

Mrs C A Egan, Mr J Nicholson and Mr R Watson declared personal and prejudicial interests in Agenda Item No 5, "Requests for Dispensation", on the grounds that as they were amongst the Members applying for dispensations it

was inappropriate for them to participate in the Committee's consideration of whether or not to grant dispensations.

16. REQUESTS FOR DISPENSATION

Note: Mrs C A Egan, Mr J Nicholson and Mr R Watson left the meeting for this item and took no part in the discussion or vote thereon.

The Deputy Monitoring Officer advised that a Member of the Police Authority had raised the question of whether, having applied the usual test, it could be considered that Members of the Police Authority had prejudicial interests in the debate leading to a final decision on Police Force Structures as they were in receipt of an allowance from the Police Authority. This matter had been raised with the Standards Board for England who took the view that the most appropriate course of action would be for all Members of the Authority to seek appropriate dispensations to allow them to speak and vote on this matter.

Statutory Instrument 2002 No.339, the Relevant Authorities (Standards Committees)(Dispensations) Regulations 2002, set out the procedure for dealing with requests from Members of Police Authorities for dispensations. Dispensations could be granted to Members if the number of Members prohibited from participating in the business of the Authority, as in this particular instance, exceeded fifty percent of those Members entitled or required to participate.

If requests were received it was for the Committee to consider whether it was appropriate to grant the dispensation requested. Dispensations could not be granted for a period in excess of four years.

The appropriate requests for dispensation had been received from all sixteen Members of the Authority and copies of Members' letters were made available at the meeting.

A Member queried whether the meeting was quorate. The Deputy Monitoring Officer advised that the Regulations did not require Standards Committees to be constituted so that they were quorate when only Independent Members were able to participate in their business, presumably because such a circumstance had never been envisaged. Furthermore, the Regulations concerning the establishment of Standards Committees set out the process for the appointment of Independent Members which could not be completed to enable consideration of the dispensations currently before the Committee and allow the Authority to comply with the timescale set by the Home Secretary for the completion of the review of police force structures. In these circumstances it appeared appropriate for the Committee to take a pragmatic view and, as long as both Independent Members were in full agreement, to deal with the requests now before the Committee. Such an approach was the most reasonable and practical approach the Authority could take in the current circumstances.

In response to a further question from a Member it was noted that if dispensations were not granted then it would not be possible for the Authority to consider the police force restructuring proposals.

The Members present then considered the requests received from the sixteen Members of the Police Authority under Paragraph 3 (1)(b) of the Relevant Authorities (Standards Committee)(Dispensation) Regulations 2002 for a dispensation to enable them to speak and vote on the police force structures review at future meetings of the Authority, its Committee's and Working Groups. In doing so they noted the reasons given by Members for requesting such a dispensation.

It was proposed by Mr Tonkin and seconded by Mr Fryer, that the necessary dispensations be granted. It was therefore agreed, unanimously, that –

RESOLVED, that Mr M Ash, Mr A L Barry, Mr R S Cole, Mrs S E Donnelly, Mrs C A Egan, Mrs P M Halfpenny, Mrs M Johnson, Ms J Lashmar, Mr J Mallinson, Mr C S Moth, Mr J Nicholson, Mrs L L Shaw, Mrs L Slavin, Mr W Smith, Mr R Watson and Mr J Woolley be granted dispensations to speak and vote on the police force structures review at future meetings of the Police Authority, its Committees and Working Groups for a period not in excess of four years from the date of this meeting, under the Relevant Authorities (Standards Committees)(Dispensation) Regulations 2002.

The meeting ended at 11.45am.