

**UNRESTRICTED MINUTES OF THE STANDARDS COMMITTEE
TUESDAY, 8 FEBRUARY 2011**

In attendance *

COUNCIL MEMBERS:	*Christophides, *Demirci, *Reece, *Stennett, *Watson, Williams and *Winskill
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INDEPENDENT MEMBERS:	*Mr J. Darbyshire, *Ms R. Hatch (Vice-Chair), *Ms A. Loyd (Chair), *Mr P. Skinner, *Ms A Rabe & *Ms C. Sykes
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Apologies Councillor Williams (for whom Councillor Whyte was substituting)

MINUTE NO.	SUBJECT/DECISION
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STCO35.	<p>APOLOGIES FOR ABSENCE</p> <p>An apology for absence was received from Councillor Williams, for whom Councillor Whyte was substituting.</p> <p>The Chair advised the Committee that it would be necessary to vary the order of business on the agenda to consider the exclusion of the public and press (Item 6) and Item 7 - Standards Complaint SC002/0910 - Pre-determination Hearing matters, after item 3 due to the Head of Legal Services and Monitoring Officer being required to attend another Council meeting at approx 19.50hrs, and MOVED the variation accordingly. The MOTION was carried nemine contradicente.</p> <p>NOTED</p>
STCO36.	<p>URGENT BUSINESS</p> <p>The Chair asked if there were any items of urgent business in respect of the reports on the agenda.</p> <p>The Committee Manager – Mr Hart informed the meeting that information in relation to exempt Agenda Item 7 - Standards Complaint SC002/0910 - Pre-determination Hearing matters had been circulated to Members at the request of the Head of Legal Services and Monitoring Officer prior to the meeting. There were additional exempt TABLED correspondence in respect of Item 7 for the Committee to also consider, as well as tabled information from the Chair of the Standards Committee in respect of Agenda Item 4.</p> <p>A copy of each of the aforementioned would be interleaved with the minutes for the meeting.</p> <p>NOTED</p>

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<p>STCO37.</p>	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interests.</p> <p>NOTED</p>
<p>STCO38.</p>	<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be excluded from the proceedings as Item 7 contains exempt information as defined in paras 1 & 2 of Section 100a of the Local Government Act 1972; namely information relating to any individual, and information which is likely to reveal the identity of an individual; and also in accordance with the Standards Committee (England) Regulations 2008 (regulation 5), and Section 53 of the Local Government Act 2000.</p> <p style="text-align: center;">SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</p>
<p>STCO39.</p>	<p>STANDARDS COMPLAINT SC002/0910 - PRE-DETERMINATION HEARING MATTERS</p> <p>AGREED RECOMMENDATIONS AS MOVED BY THE COMMITTEE</p>
<p>STCO40.</p>	<p>RE-INCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the public and press be readmitted in to the proceedings for the consideration of Items 4 & 5 on the agenda</p>
<p>STCO41.</p>	<p>REPORT TO UPDATE THE COMMITTEE ON GOVERNMENT PROPOSALS FOR THE FUTURE OF ETHICAL GOVERNANCE OF LOCAL AUTHORITIES</p> <p>At this point in the proceedings (20.10hrs) Mr Suddaby advised that he had to leave the meeting due to his attendance at the Cabinet meeting.</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Assistant Head of Legal Services – Ms Simon advised that the purpose of the report was to note and consider the implications of the proposals in the Localism Bill as outlined in the attached communication from the Department of Communities and Local Government (CLG) to abolish Standards for England and the associated ethical governance framework for local authorities. The communication from the CLG detailed the projected changes to the ethical governance framework for local authorities (the Standards Board Regime) and the timescale for these changes.</p> <p>Ms Simon summarised that in essence this would involve the abolition of Standards for England (formerly the Standards Board), the abolition of the requirement for local authorities to have a standards committee, and of the</p>

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prescription of a model code of conduct for authorities. In addition the overall legal framework containing the principles governing the conduct of members and co-opted members in relevant authorities would be abolished. Ms Simon commented that the changes, contained in the Localism Bill would receive Royal Assent in late 2011. It was expected that the present regime would continue until a day appointed by the legislation ('the appointed day'), likely to be approximately 2 months after the proposals became law. The communication at Appendix 1 outlined a transitional procedure for the processing of any complaints that were live on the appointed day.

Ms Simon also referred to the Government's thinking on these changes which included the view that a central national framework for governing member conduct was incompatible with the principles of localism, that it had encouraged vexatious and politically motivated complaints and that a greater emphasis had to be placed on the responsibility of the local electorate to determine their representatives. Elected Members would still have a duty to register and declare personal interests and new criminal offences were proposed to address a failure to declare personal interests and the use by members of their position improperly for personal gain. Ms Simon concluded that the CLG circular had also made it clear that authorities would still be free to adopt their own voluntary code of conduct if they so wished and also establish voluntary standards committees to consider complaints about the conduct of elected and co-opted members with limited powers to sanction.

The Committee then briefly discussed the issues as outlined, and the points were made:

- Options for a Council setting up a Standards Committee and how it may operate as well as what likely powers it may have – given that the only penalty it could impose on a subject member would be censure.
- the need for a borough wide public consultation of the future of standards, and what will replace it and what would people like to see happen, and the feasibility of requesting that the Minister for CLG paying for the Consultation
- the possible establishment of a London Wide code and how this may work

The Chair then summarised and it was:

RESOLVED

- i. That the implications of the proposals for the safeguarding of high ethical standards in the Council in the light of the proposed new duty for local authorities to ensure that members and co-opted members maintain a high standard of conduct be noted;
- ii. That in respect of action to be taken in light of the proposed new duty for local authorities to ensure that members and co-opted members maintain a

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	<p>high standard of conduct, bearing in mind that the Localism Bill may be subject to change in the course of the legislative process, the Head of Legal Services and Monitoring officer be asked to report back to the special meeting of the Committee on 28 February 2011 in respect of :</p> <ul style="list-style-type: none">a. Options for a Council setting up a Standards Committee following the abolition of Standards for England, and how it may operate as well as what likely powers it may have – given that the only penalty it could impose on a subject member would be censure;b. the possibility of a borough wide public consultation of the future of standards, and what will replace it and what would people like to see happen, and the feasibility of the Chair of the Standards Committee writing to and requesting that the Secretary of State for CLG pay for the Consultation; andc. the possible establishment of a London Wide code and how this may work .
STCO42.	<p>OUTSTANDING TRAINING FOR MEMBERS OF STANDARDS COMMITTEE 2010/11</p> <p>The Clerk to the Committee – Mr Hart advised that he would circulate the details of the outstanding training sessions for the Committee, together with a range of dates.</p> <p>NOTED</p> <p>There being no further business to discuss the meeting ended at 20.25hrs.</p>

Annabel Loyd

Chair