

Standards Committee Minutes

Date: 27 March 2012

Time: 6.15 - 6.50 pm

PRESENT: Mrs E Springford (in the Chair)

Councillor D J Carroll, Revd G Hargrove, Councillor Mrs G A Jones, Councillor J A Savage, Parish Cllr J Sherlock, Parish Cllr Mrs V Smith and Councillor Ms J D Wassell,

Apologies for absence were received from Parish Cllr D Banfield and Mr D Sainsbury

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 MINUTES OF PREVIOUS MEETING

RESOLVED: That the Minutes of the meeting of the Committee held on 24 January 2012 be approved as a true record and signed by the Chairman.

14 THE LOCALISM ACT 2011 - THE NEW STANDARDS REGIME

The District Solicitor gave an update on the new Standards regime which the Government intended for implementation from 1 July 2012; however the picture was still incomplete in respect of the regime's exact format.

Under the Localism Act, all Councils (including District, Town and Parish Councils) following the 7 Nolan principles of:

- Selflessness;
- Integrity;
- Objectivity;
- Accountability;
- Openness;
- Honesty; and
- Leadership

will have a duty to promote and maintain high standards of conduct by their Members and adopt a code of conduct.

The District Solicitor had been consulting with fellow Monitoring Officers across Buckinghamshire. All had agreed that a common code for all levels of authority in Buckinghamshire and similarly a common local arrangement for complaints re contravention of the code was to be recommended. Officers hoped that Councillors would support this plan for a consistent standards system across the County.

After 1 July 2012 the Council was not required to have a Statutory Standards Committee (i.e. this Committee) so that any Standards work could be delegated to an existing Council committee or new Council committee or Sub-Committee.

Members raised and received clarification on a number of queries and made a number of points:

- A number of Members indicated that the new standards work could be transferred to the Regulatory & Appeals Committee which seemed the natural home for such regulatory matters.
- Members acknowledged that the exact details with regards to declarations of pecuniary interests were still to be released by the Government.
- Members stressed the need for a consistent code and arrangements across Bucks, various codes would lead to untold additional administration and costly officer time.

***Recommended** That Council strongly recommend to fellow authorities in Buckinghamshire that there be a shared common code of conduct under the new Standards Regime along with common arrangements in respect of complaints submitted thereunder.*

15 APPOINTMENT OF INDEPENDENT PERSONS

It was explained that Independent and Parish Council representatives on any new standards committee or sub-committee (or Council committee or sub-committee carrying out standards matters) could be still be co-opted as non-voting members of such a committee or sub-committee. This would be in addition to the very different role of the required statutory 'Independent Person' under the new regime.

The 'Independent Person' would have to be consulted before any decision was taken in respect of a complaint after investigation had been completed. The fact that the 'Independent Person' could be approached by both the Subject Member and the Complainant at any stage in the procedure would probably necessitate the appointment of two such 'persons'.

Officers reported that the detailed role of the Independent Person remained outstanding.

Recommended: That (i) delegated authority be given to the District Solicitor in consultation with the Chairman of the Standards Committee to advertise for and appoint two Independent Persons once full details of the role have been obtained and if possible a common job description with other Buckinghamshire authorities should be used; and

(ii) each Independent Person appointed is to be awarded an annual allowance of £200 and an allowance of £25 plus expenses for each meeting of any Committee, Sub-Committee or Panel which he or she is required to attend

16 EXTENSION OF APPOINTMENTS OF INDEPENDENT AND PARISH COUNCIL REPRESENTATIVES MEMBERS ON THE STANDARDS COMMITTEE

The terms of office of all independent members on the Standards Committee and all Parish Council Member representatives on the Standards Committee came to an end at the Annual Council meeting in May 2011, at which meeting they were re-appointed until Annual Council May 2012 or, if earlier, the date upon which the Standards Committees under existing legislation were abolished. This abolition had not yet occurred but was scheduled for 30th June 2012.

It was reported that Standards for England had issued guidance to the effect that given the current uncertainty concerning the future of the current standards regime, the term of office of existing independent members could be extended, provided they were appointed in accordance with the legislative requirements at the time, and provided the extension was granted before the expiry of their existing term of office.

All Independent and Parish Councillor members of the Standards Committee had indicated their willingness to continue to serve on the Committee until 30 June 2012 or later date upon which Standards Committees formed under existing legislation were to be abolished.

Recommended That (i) the appointment of the following independent members on the Standards Committee be extended until the 30 June 2012 or, if later, the date upon which Standards Committees formed under existing legislation are abolished:

Revd G Hargrove
Mr B Morgan-Timms
Mr D G Sainsbury
Mrs E Springford, and

(ii) the appointment of the following Parish Council Representative Members on the Standards Committee be extended until 30 June 2012 or, if later, the date upon which Standards Committees formed under existing legislation are abolished:

*Parish Councillor D Banfield
Parish Councillor J Sherlock
Parish Councillor Mrs V Smith*

17 DRAFT ANNUAL REPORT OF THE STANDARDS COMMITTEE

The Committee reviewed the Draft Annual Report before them, particularly noting the mention of the invaluable contribution of David Davies to the Committee during the last and previous years of the Committee.

RESOLVED: That the Annual Report of the Standards Committee be approved and presented to Annual Council by the Committee Chairman.

18 COMPLAINTS / COMMENTS / COMPLIMENTS - INFORMATION AND IMPROVEMENTS - QUARTER 3 - 1 OCTOBER TO 31 DECEMBER 2011

The Committee considered the comprehensive report in respect of Complaints, Comments and Compliments for the 3rd Quarter (1 October to 31 December 2011). Officers indicated in response to a Member question that there were no exceptional issues that required the particular attention or consideration of the Committee.

The presence of only 1 noted improvement in respect of complaints was remarked upon, whilst the increased use of petitions as a means of bringing issues/problems to the attention of the Council was discussed.

RESOLVED: That the Monitoring of Complaints, Comments and Compliments report for the 3rd Quarter 1 October to 31 December 2011 and the data and charts contained therein be noted.

19 MINUTES OF LOCAL STANDARDS HEARING PANEL

The minutes of the Local Standards Hearing Panel of 19 January 2012 were appended to the agenda for the Committee's information.

RESOLVED: That the minutes of the Local Standards Hearing panel of 19 January 2012 be noted.

Chairman

The following officers were in attendance at the meeting:

- Peter Druce - Democratic Services
- David Ruddock - District Solicitor