

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

WEDNESDAY, 26TH JANUARY 2011 AT 6.00 P.M.

PRESENT: Independent Members: Mr. N. A. Burke (Chairman), Ms. K. J. Sharpe (Vice-Chairman) and Mrs. G. Bell

Councillors: Miss D. H. Campbell JP (during Minute No's. 27/10 to 33/10), Mrs. A. E. Doyle (during Minute No's. part of 30/10 to 33/10) and E. C. Tibby (during Minute No's. 27/10 to 33/10)

Parish Councils' Representatives: Mr. J. Cypher and Mr. I. A. Hodgetts

Observer: Mr. S. H. Malek (Deputy Parish Councils' Representative)

Officers: Mrs. C. Felton, Mrs. S. Sellers and Ms. D. Parker-Jones

27/10 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

28/10 **DECLARATIONS OF INTEREST**

No declarations of interest were declared.

It was noted however that Councillors Miss D. H. Campbell JP, Mrs. A. E. Doyle and E. C. Tibby, who comprised the normal District Councillor membership of the Standards Committee, were affected by some of the issues under consideration at Agenda Item 10 (confidential minutes of the meeting of the Standards Committee held on 17th December 2010). The meeting in question had considered the Investigating Officer's final reports into the complaints made against the members of the Labour Group arising from the meetings of Full Council on 29th July 2009 and 20th January 2010. As the Councillors were not participating in the consideration of the complaints they therefore left the room on receipt of the minutes.

29/10 **MINUTES**

The public minutes of the meeting of the Standards Committee held on 17th December 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

30/10 **MONITORING OFFICER'S REPORT**

The Committee noted the comments of the Monitoring Officer's (MO's) report and the following issues were raised during the consideration of this:

(i) Member Investigations

The MO advised that the investigation into Complaint Reference 94/09 had been completed and that she was due to receive the Investigating Officer's report within the next few days. The two remaining local investigations were ongoing.

A question was raised regarding the awaited report on linked Complaint References 03/10 and 04/10, against two Alvechurch parish councillors, in view of the upcoming local elections, together with the effect any possible sanctions arising from current investigations generally might have on Members given the proximity of the elections and of the possible need for additional meetings of the Committee to facilitate any associated business. The MO advised that delays could be encountered with investigations which at first sight appeared straight forward but which could give rise to additional issues being identified during the course of an investigation. She added that investigations would proceed as planned and that final reports would be brought to the Committee as soon as they were available, with additional meetings of the Committee being arranged as necessary to consider these.

(ii) Pre-Hearing Meeting

Regarding the complaints against the members of the Labour Group detailed at paragraph 3.2 of the report, the MO confirmed that a pre-hearing meeting of the Committee to look at procedural issues as part of the pre-hearing process was due to take place at 6.00pm on 2nd February 2011.

(iii) Monitoring Officer's Other Action

The MO advised that having spoken with the Subject Member concerned that day on an unrelated matter, the issue of the outstanding training had been raised and the Member had stated that he would be willing to undertake the required training. The MO confirmed that she would report back to the Committee on any further developments in this regard in due course.

(iv) Member Training

The MO updated the Committee on the work of the Member Development Steering Group and formulation of the Member Development Programme. It was noted that dates for training had also been identified for Members at Redditch Borough Council and that, where appropriate, training included support for the parish councils.

(v) Monitoring Officer Liaison Meetings

The Deputy Monitoring Officer reported that the first of the Monitoring Officer Liaison Meetings (MOLMs), which had taken place in October, had been very successful and that officers had received positive feedback on these from the parish clerks/executive officers. Question and answer sessions had been included for any issues clerks/executive officers wished to raise. A need for Code of Conduct training for the parishes had been raised, which had been

built into the Member Development Programme. It was noted that the next meeting would take place in March 2011.

The Committee noted the usefulness of the meetings and felt that these should continue in the future notwithstanding what might happen to the standards regime following any changes under the Localism Bill. The Monitoring Officer confirmed that the MOLMs would continue irrespective of any future changes to the standards regime.

(vi) Appointment of Parish Councils' Representatives on the Committee

Members noted the position with the terms of office of the Parish Councils' Representatives on the Committee and supported the recommendation to Full Council that the July 2011 appointments be for a period of one year in light of the proposed changes to the standards regime under the Localism Bill.

(vii) National Standards Regime - The Localism Bill

The MO informed the Committee of a report which had been considered at the 19th January 2011 meeting of Full Council which reviewed the Council's current committee structure. As part of that report, and in view of the coalition government's intention to substantially alter the current standards regime, Full Council had approved a recommendation that the Head of Legal, Equalities and Democratic Services examine the feasibility of replacing the Standards Committee and the Audit Board with a new Board to deal with audit and ethical governance matters, to be chaired by an independent person; and that the feasibility study include consideration of the roles of district councillor and parish councillor representatives. The MO added that work on the review would not commence until later in the year, when more was known about any changes under the Localism Bill.

RESOLVED:

- (a) that the report be noted;
- (b) that any action points detailed in the preamble above be acted upon and reported back to the Committee as appropriate; and
- (c) that it be recommended to Full Council that in view of the proposed changes to the standards regime as a consequence of the Localism Bill, the terms of office of the Parish Councils' Representatives on the Standards Committee, effective from July 2011, be for a period of one year, with nominations for appointees to follow from the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils in due course.

31/10 **PARISH COUNCILS' REPRESENTATIVES' REPORT**

Mr. Cypher advised that, owing to the severe weather conditions, the December 2010 meeting of the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils had been aborted and that he had nothing further on which to update the Committee.

RESOLVED that the position be noted.

32/10 **PUBLICATIONS**

Members noted the publications detailed in the agenda. A request was made by the Committee that, where available and where neutral in their content, any executive summaries relating to relevant publications be provided to members for information.

RESOLVED:

- (a) that the publications detailed be noted; and
- (b) that officers provide members of the Committee with any available executive summaries, where neutral in nature, of relevant publications in the future.

33/10 **WORK PROGRAMME**

Consideration was given to the Committee's Work Programme.

The Monitoring Officer advised that she was currently meeting with officers regarding the Planning Services Code of Practice and that she hoped to bring a report on this to the Committee as early as possible in the new municipal year. This also linked with various upcoming training which had been arranged for Members as part of the Modern Councillor Programme.

RESOLVED that the Work Programme be approved.

34/10 **EXCLUSION OF THE PUBLIC**

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part being as set out below, and that it is in the public interest to do so:

<u>Minute No.</u>	<u>Paragraph</u>
34/10	7C.

35/10 **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting of the Standards Committee held on 17th December 2010 were submitted.

RESOLVED that, subject to the inclusion of the names of the Committee members, the minutes be approved as a correct record.

The meeting closed at 6.39 p.m.

Chairman