

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

WEDNESDAY, 25TH JULY 2012 AT 6.00 P.M.

PRESENT: Councillors M. A. Bullivant, Dr. B. T. Cooper, S. J. Dudley,
Mrs. C. M. McDonald, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer and
L. J. Turner

Parish Councils' Representatives (non-voting co-opted): Mr. J. Cypher
and Mr. I. A. Hodgetts

Observer: Mrs. K. May (Deputy Parish Councils' Representative)

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

1/12 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor Mrs. M. A. Sherrey JP be elected Chairman of the
Committee for the ensuing Municipal Year.

2/12 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor M. A. Bullivant be elected Vice-Chairman of the
Committee for the ensuing municipal year.

3/12 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dr. D. W. P. Booth JP
and L. C. R. Mallett.

4/12 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

5/12 **MINUTES**

The minutes of the meetings of the former Standards Committee held on 24th
May 2012 and 13th June 2012 were submitted.

The Democratic Services Officer advised that Noel Burke, Independent
Chairman of the former Standards Committee, had previously approved the
Full Written Decision appended to the 24th May 2012 Final Determination
Hearing minutes and that the Decision was therefore appended for
completeness. She further added that whilst the covering minutes confirmed
Councillor L. C. R. Mallet as having been present on 24th May, the separate

Decision did not. The Decision was incorrect and it was noted that Councillor Mallet had been present at the Hearing.

Regarding the 13th June 2012 minutes, Mr. Cypher stated that the fourth paragraph of Minute No. 7/12 (iii) (Localism Act 2011) should read that he had attended a meeting of the West Midlands County Association of Local Councils, and not of the West Midlands Local Government Association.

RESOLVED that, subject to the amendments detailed in the preamble above, the minutes be approved as correct records.

6/12 **MONITORING OFFICER'S REPORT**

The Deputy Monitoring Officer (DMO) introduced the Monitoring Officer's (MO) report and, in doing so, updated Members on the position with the Register of Members' Disclosable Pecuniary Interests forms (DPI forms) which had so far been received from district and parish councillors. A number of drop-in sessions had taken place for Members who wished to seek assistance on completing their forms and numerous enquiries had been received from Members and Parish Council Clerks on the new interests' regime. Further guidance was awaited from the Department for Communities and Local Government on how the forms should be completed and it was confirmed that none of the DPI forms would be published on the Council's website until such guidance had been issued.

The DMO added that a meeting had taken place with the Parish Council Clerks and Richard Levett of the Worcestershire County Association of Local Councils the previous week to discuss how DPI forms would be dealt with in accordance with the requirements set out in the Localism Act, and a process had been agreed with them in that regard.

Regarding the non-appointment of Independent Persons under the new standards regime, Officers would be running a further recruitment exercise and discussions had taken place with Members who had been in attendance at the initial round of interviews to consider how to best target any future advertisement to encourage more people to apply. It was hoped to reconvene the Appointments Committee for further interviews some time in September.

The DMO reported that the three Code of Conduct training sessions which had taken place in June had been well attended, particularly by the parishes. It was noted that there might be a need to undertake further similar sessions in the autumn. No dates had yet been established in this regard and the matter would be reviewed in due course.

An update was given by the DMO in relation to investigations which had been ongoing under the former standards regime and the transitional provisions in relation to these. The DMO stated that the transitional arrangements did not allow Officers to continue with the investigations and that letters had that day been sent to the Members concerned detailing the position. It was also noted that Councillor Dr. Booth had attended the required Code of Conduct training in June.

Finally, having missed the mandatory 'Introduction to the Standards Committee' training earlier that evening, it was noted that Councillors Booth and Mallett would be required to complete equivalent training with either the MO or DMO prior to their sitting on the Committee.

RESOLVED

- (a) that the contents of the report be noted; and
- (b) that any required actions arising from the points detailed in the report and the preamble above be acted upon, as appropriate.

7/12 **PARISH COUNCILS' REPRESENTATIVE REPORT**

Mr. Cypher reported that there had been no meeting of the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils since June, and that the next meeting would be taking place in September.

He stated that he was unsure as to whether all of the Parish Councils within the District had yet met to adopt the Code of Conduct and queried whether that was known to the Monitoring Officer. The MO stated that she thought it was inevitable that this might be the case. Whilst there was a risk associated with any Parish Council not having adopted their Code at this stage, she believed there was nationally an understanding that it would take a short amount of time for that to happen. The advice that the MO was giving was that Parish Councils should, at their earliest opportunity, adopt a Code and advise Officers of both the Code which they had adopted and the date of adoption (enclosing a copy of the relevant minute confirming adoption). Whilst being in a position of not having done this however the Parish Councils would be in breach of the requirements.

Mr. Cypher added that Parish Councils were not particularly happy with the current position whereby Parish Council Representatives no longer had voting rights on standards committees. He stated that the National Association of Local Councils were currently in discussions with Department for Communities and Local Government Ministers regarding a possible amendment on the restoration of voting rights.

RESOLVED that the position be noted.

8/12 **WORK PROGRAMME**

Members considered the future Work Programme of the Committee.

It was felt that the number of meetings should be reduced from the former Standards Committee's six meetings per municipal year to four meetings, as it was anticipated that the new arrangements for dealing with Member complaints would see less Committee activity. Meetings could however still be added and/or cancelled as necessary, depending on business to be conducted. This would accommodate any ad-hoc meetings required for considering dispensations or conducting Member hearings. As such, it was agreed that the meetings detailed in the proposed Work Programme for 19th

September 2012, 23rd January 2013, June 2013 (date to be determined) and September 2013 (date to be determined) would be deleted from the calendar of meetings, with meetings taking place on a quarterly basis.

Officers advised that a report on the process for managing hearings would be referred to the 28th November 2012 meeting. It was further agreed that the Member-Member and Member-Officer Protocols would be reviewed at the July 2013 meeting and would include input from the Leaders of the two largest Political Groups.

RESOLVED that, subject to the updates detailed in the preamble above, the Work Programme be approved.

The meeting closed at 6.40 p.m.

Chairman