

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

THURSDAY, 18TH OCTOBER 2007 AT 5.30 P.M.

PRESENT: Mrs. N. E. Trigg (Chairman - Independent Member), Councillors C. R. Scurrall (Vice-Chairman), S. P. Shannon and E. C. Tibby, Mr. S. E. Allard (Independent Member), Mr. N. A. Burke (Independent Member) and Mr. I. A. Hodgetts (Deputy Parish Council Representative - substituting for Parish Council Representative)

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

15/07 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Mr. J. Cypher (Parish Council Representative).

16/07 **MINUTES**

The minutes of the meeting of the Standards Committee held on 16th August 2007 were submitted.

RESOLVED that the minutes be approved as a correct record.

17/07 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

18/07 **MONITORING OFFICER'S UPDATE REPORT**

The Deputy Monitoring Officer provided the following updates:

Local Investigations

Members were advised that the final reports for both of the local Member investigations had now been completed and that these had been passed to the Monitoring Officer. In one case the Investigating Officer had reached a finding that there had been no breach of the Code of Conduct and in the second case the finding was that there had been a breach of the Code. Dates for the Standards Committee hearings to consider the Investigating Officer's findings were agreed.

Member Training - Code of Conduct

Officers reported that a total of 29 Members had completed training on the new Code of Conduct. The Chairman stated that, in view of the importance of

the Code, those Members who had not undertaken training in this area to date should aim to do so. The Monitoring Officer confirmed that a further training session, which would likely be conducted in-house, would be arranged, and that she would speak with the Leader of the Council on this.

Standards Committees in Worcestershire

The letter contained in the agenda from Mr. J. Blakeley, Chairman of Wychavon District Council's Standards Committee, advising that his original proposal on the coming together of Standards Committee members on a county-wide basis to discuss issues of relevance to Standards Committees was not being pursued, was noted. Only Bromsgrove District Council had provided a substantive response in this regard. Were circumstances to change then it would be open for the concept to be re-visited in the future on the initiative of any council wishing to do so.

Standards Board for England - *The Bulletin*

The Deputy Monitoring Officer made reference to the Standards Board for England publication *The Bulletin* #35, a copy of which had been sent to the members of the Committee with the agenda papers. Members were asked whether they wished to receive copies of *The Bulletin* in the future and, if so, in which format.

Members wished to receive future copies of *The Bulletin*, with the majority opting for this to be sent electronically, via e-mail. Mr. Allard and Mr. Hodgetts requested copies via post.

RESOLVED:

- (a) that the position in relation to the two local Member investigations be noted;
- (b) that the position in relation to Member attendance to date on training for the new Code of Conduct be noted, and that those Members who had not undertaken training in this area be encouraged to attend a separate training session to be arranged in-house;
- (c) that the position in relation to Standards Committees in Worcestershire be noted; and
- (d) that future issues of the Standard Board for England publication *The Bulletin* be sent to the members of the Committee.

19/07 **LOCAL FILTERING**

A report detailing the various options for local filtering of complaints of breaches by councillors of the Code of Conduct under the Local Government and Public Involvement in Health Bill, and which also looked at corresponding revisions to the Council's Constitution, was considered.

Members preferred Option 2 as outlined in the report - Sub-Committees, which it was noted would involve the formation of sub-committees of the Standards Committee. An initial sub-committee (consisting of one independent member, one elected member and one parish member) would be responsible for

filtering complaints, with a second sub-committee (consisting of two independent members, two elected members and one parish member) hearing any final determinations. The membership of the sub-committees would not be fixed and would remain flexible. Any reviews of a decision of the filtering sub-committee not to investigate a complaint would be dealt with by a separate review sub-committee, consisting of at least three members who had not sat on the initial filtering sub-committee. In the event of the review sub-committee deciding that there should be a final determination, any such determinations would be heard by the entire of the Standards Committee. The quorum of all sub-committees would be three.

In view of the statutory requirement for a parish member to be present whenever a parish matter was being considered, and in order to allow for a reserve parish member if required, it was agreed that the Standards Committee needed to be enlarged to include a third parish member, with all parish members to originate from different parish councils. A third parish member would also enable the determinations sub-committee to be divided into two should a large number of complaints against councillors be received. Although all three parish members would have full voting rights when sitting on sub-committees only one parish member would have voting rights on the Standards Committee.

Members further agreed that the proposed structure should be reviewed in twelve months time to see how this had worked in practice.

RECOMMENDED:

- (a) that, in order to carry out local filtering of complaints of breaches by councillors of the Code of Conduct under the Local Government and Public Involvement in Health Bill, sub-committees of the Standards Committee be formed (as detailed in the preamble above);
- (b) that any reviews of a decision of the filtering sub-committee not to investigate a complaint be carried out by a review sub-committee consisting of at least three members who had not participated in the original filtering sub-committee;
- (c) that in the event of the review sub-committee deciding that there should be a final determination on the matter which had been the subject of a review, any such determinations be heard by the entire of the Standards Committee;
- (d) that the membership of the Standards Committee be enlarged to include a third parish member, with the three parish members to originate from separate parish councils, and of which only one parish member would have voting rights on the Standards Committee; and
- (e) that the proposed structure be reviewed in twelve months time.

20/07 **FIRST ANNUAL REPORT OF THE STANDARDS COMMITTEE**

The Committee received a copy of the initial draft outline of the First Annual Report of the Standards Committee. The Chairman advised that it was intended that the Report be published in May 2008 - at the end of the 2007 municipal year and shortly after the planned implementation of the Local

Government and Public Involvement in Health Act. An updated copy of the Report would be brought to the Committee at its meeting in February 2008.

RESOLVED that the report be noted.

21/07 **ASSOCIATION OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEES IN ENGLAND**

The Monitoring Officer referred to a letter which she had received from the Association of Independent Members of Standards Committees in England (AIMSce), which aimed to establish a national register of Independent Members of Standards Committees as defined by Section 53 (4)(b) of the Local Government Act 2000.

RESOLVED that officers provide the Association of Independent Members of Standards Committees in England (AIMSce) with the details of the Council's Independent Members and that the Independent Members be provided with details of AIMSce.

The meeting closed at 6.25 pm

Chairman