

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

WEDNESDAY, 20TH MARCH 2013 AT 6.00 P.M.

PRESENT: Councillors Mrs. M. A. Sherrey JP (Chairman), M. A. Bullivant (Vice-Chairman), Dr. D. W. P. Booth JP, L. C. R. Mallett (during Minute No's 21/12 to 24/12), Mrs. C. M. McDonald and L. J. Turner

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

Observers: Mrs. K. May (Deputy Parish Councils' Representative - non-voting co-opted) and Mr. E. M. Nock OBE (Independent Person)

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

16/12 **WELCOME - MR. E. M. NOCK OBE**

The Chairman welcomed Mr. E. M. Nock OBE and introduced him to the members of the Committee.

Mr. Nock was one of the two Independent Persons appointed by the authority under the new standards regime and was present to observe the Committee.

17/12 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dr. B. T. Cooper, S. J. Dudley and Mrs. C. J. Spencer.

18/12 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

19/12 **MINUTES**

The minutes of the meeting of the Standards Committee held on 28th November 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

20/12 **MONITORING OFFICER'S REPORT**

The Monitoring Officer (MO) introduced her report and in doing so highlighted the successful local resolution of the 12 Member to Member complaints which had been received during the first six months of the new standards regime.

The MO stated that the event which she and Mr. Nock had attended at County Hall in January had proven to be very useful, particularly in the sharing of experiences with other Monitoring Officers and Independent Persons. It was hoped that the event would be repeated annually. Ms. Jinks, the authority's second Independent Person, had been unable to attend the event however arrangements had now been made for her induction.

Mr. Nock advised that he broadly shared the same view as the MO. He commented that whilst he was still finding his feet in his new role, what had struck him were the widely differing views of the county's Monitoring Officers as to how they saw their roles. He saw the role of Independent Person as that of an 'advisory' role.

It was queried whether all of the Member complaints received related to district councillors, which the MO advised she recalled was the case. A Parish Representative queried whether it was possible for more detail to be provided in relation to complaints received. Concern was also expressed as to how onerous the new system of complaint handling was on the MO's time in view of her enhanced role under the new regime.

The MO responded that the Committee had previously determined that it only wished to receive information on the number of complaints received, and that over a period of time any trends emerging from complaints might also be reported to Members. She added that, at present, there were no trends arising to report on and that the new regime had so far proved to be quite onerous, particularly in the early stages as the local resolution of complaints was a new process which had taken up quite a lot of her time. However, local resolution had also provided a good opportunity for early dialogue on all sides, which had proven to be very helpful in resolving complaints.

Relationships between Officers and Group Leaders as part of the process were good, which the MO stated was critical to the success of the new regime. It was hoped that relations between Group Leaders would also remain positive in the future. The MO advised that she had expressed a view to the Group Leaders that it would hopefully be possible to resolve complaints locally in future without the need for their involvement. She added that Mr. Nock's involvement had been very helpful and that in time he might wish to speak with Group Leaders himself on issues arising from complaints.

Members agreed that there were clearly some positive outcomes under the new regime and it was hoped that the number of Member to Member complaints would reduce over time. The MO suggested, and it was agreed, that Group Leader involvement in complaints should remain for the time being and that the position be looked at after the first 12 months of operation of the new regime, at which point any possible trends could also hopefully be reported on.

Regarding Member training, the MO stated that Member input was needed in order to know what training was required and/or desired and the three Group Leaders had met with the MO to discuss this. Officers were currently working

on the programme of Member training for 2013/14 and it was hoped that a calendar of events would be ready for issue before the end of the current municipal year. There was support from all Group Leaders on training for the authority's regulatory committees in particular, with a Mock Licensing Committee and more formal Planning training also being proposed.

A Member queried the position in relation to a Data Protection/Freedom of Information issue, which the MO clarified the position on.

Under Parish Council matters it was queried whether the Democratic Services Officer (DSO) would report back to the Committee on issues arising from the Bromsgrove Area Meetings of the Worcestershire County Association of Local Councils (CALC). The DSO advised that her role on this was to act as a liaison between the Area Committee and District Council Officers, and that it was the role of the Parish Councils' Representatives on the Standards Committee to feed back on any relevant parish council issues.

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.

21/12 **PARISH COUNCILS' REPRESENTATIVES' REPORT**

Mr. Cypher advised that following the November 2012 meeting of the Standards Committee the parish councils had dealt with the necessary arrangements required for the granting of dispensations, meaning their Members had been able to participate in the consideration of financial matters, and that he was not aware of any problems in this regard.

RESOLVED that the position be noted.

22/12 **REVIEW OF OPERATION OF THE COMMITTEE**

Members reviewed the general operation of the Committee since the establishment of the new Standards Committee in July 2012.

It was felt that it was still early days for both the Committee and the new standards regime, as implemented under the Localism Act 2011. Officers were not aware of any particular issues at this stage and it was noted that a report on a 12 month review of the new regime was due to be considered by the Committee at its meeting on 11th July 2013.

The MO advised that she might suggest some tweaks to the current process and that any Member input in advance of the report being drafted for the July meeting would be helpful. She sought the Committee's views as to whether it would be appropriate for a working group, comprising some of the members of the Committee, to be established to meet with Officers to discuss issues relating to the review, prior to the full Committee's consideration of the review report in July.

The Committee felt that it would be helpful for such a working group to be established and it was agreed that Councillors Bullivant, Mallett and Mrs. Sherrey be appointed to this.

One of the Parish Representatives highlighted the ongoing issue of the lack of voting rights which were afforded to Parish Representatives on standards committees under the new regime. The Parish Representative added that if there was an issue with a parish councillor at any stage, arising from a complaint, she hoped the parish councillor would be well represented. The ongoing training of the Parish Councils was also raised.

The MO responded that if there were any issues of concern, such as the issue highlighted by the Parish Representative, these should be fed into the process and would be considered. She added that it had been agreed with the Group Leaders that there would be further standards training taking place in 2013, to which the parishes would be invited.

Another Parish Representative commented that it would be helpful, as part of the 12 month review of standards, for the MO to look at further publicity of the complaints procedure, and that as the parish dimension was now less to the fore (in relation to voting rights on the Committee), the Committee might need to work harder to ensure that the parishes were aware of the new arrangements and process for Member complaints.

RESOLVED

- (a) that the position be noted; and
- (b) that a Standards Working Group, comprising Councillors Bullivant, Mallett and Mrs. Sherry, be established to assist Officers in the preparatory work for the 12 month review of the standards regime, in advance of the full Standards Committee's consideration of the review at its 11th July 2013 meeting.

23/12 **CALENDAR OF MEETINGS 2013/14**

Members were asked to note the provisional meeting dates for the Committee for the 2013/14 Municipal Year. Officers advised that the proposed dates were unlikely to change and that all of the meetings would be taking place on Thursdays and not Wednesdays as noted in the agenda.

RESOLVED that the meeting dates be noted.

24/12 **WORK PROGRAMME**

Members considered the future Work Programme of the Committee.

Following the establishment earlier in the meeting of the Standards Working Group to assist with the 12 month review of the new standards regime, the MO requested that the review of the operation of the Protocols on Member-

Officer and Member-Member relations also be looked at by the Working Group.

As there would be quite a lot of work involved with reviewing the Protocols it was further requested that the Protocols element be referred to the 10th October 2013 Committee meeting for consideration.

RESOLVED

- (a) that the Work Programme be approved; and
- (b) that the Standards Working Group also look at the review of the operation of the Protocols on Member-Officer and Member-Member relations in advance of the full Committee's consideration of these at its meeting in on 10th October 2013.

The meeting closed at 6.31 p.m.

Chairman