

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

MONDAY, 28TH APRIL 2008 AT 6.00 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) and Mr. J. Cypher (Parish Councils' Representative)

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

38/07 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr. N. Burke (Independent Member) and Mr. I. Hodgetts (Deputy Parish Councils' Representative).

39/07 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

40/07 **MINUTES**

The minutes of the meeting of the Standards Committee held on 7th February 2008 were submitted.

RESOLVED that the minutes be approved as a correct record.

41/07 **WEST MERCIA INDEPENDENT MEMBERS FORUM**

The minutes of the meeting of the West Midlands Independent Members Forum held on 25th January 2008 were submitted.

It was noted that the next meeting of the Forum was due to be held at Redditch Borough Council on Friday, 11th July 2008 and that Bromsgrove District Council might host the January 2009 meeting.

RESOLVED that the minutes be noted.

42/07 **LOCAL ASSESSMENT - COMPOSITION OF THE STANDARDS COMMITTEE AND CREATION AND COMPOSITION OF SUB-COMMITTEES**

The Chairman referred to additional papers which had been circulated prior to the meeting, which set out the decision and recommendations of the Council on 23rd April 2008 on proposed amendments to the operation of the Committee in the light of the recently published Standards Committee (England) Regulations 2008. Unexpected provisions contained within the

Regulations had required the original report recommendations to be varied, with the Regulations providing that there had to be a minimum of two parish council representatives on the Standards Committee. The Council's amendments to the Articles of the Constitution were noted. It was for the Standards Committee to determine the size, composition and terms of reference of its sub-committees prior to the new local assessment regime coming into force on 8th May 2008.

Officers advised that separate memberships of the Assessment Sub-Committee and Final Determination Sub-Committee would be best practice, and that they understood the guidance due to be issued by the Standards Board would confirm this to be the case. The Committee decided that, notwithstanding this advice, it did not wish, as had been proposed, to limit membership of the Final Determination Sub-Committee to five members and extended this to a maximum of seven members (meaning membership of the two Sub-Committees could overlap). The membership would include a maximum of one Parish Representative, who would have to be present if the subject Member was a parish councillor. The Committee had, at its previous meeting, discussed the options at length and had agreed that it would wish to review the composition of all sub-committees and the new structure, and whether these were operating effectively, after a 12 month period. In addition, the Committee was minded that should guidance from the Standards Board be issued in the interim it would be reviewed at an earlier stage what best practice would be, particularly were the guidance to be vociferous in its view on separate sub-committee membership.

RESOLVED that with effect from 8th May 2008:

- (a) three sub-committees be formed to perform the functions of assessment, review of assessment decisions and final determinations; and
- (b) the membership of those sub-committees be as follows:
 - (i) Assessment Sub-Committee – 3 Members (1 Independent Member (Chairman), 1 Elected Member, 1 other member who should be a Parish Representative if the subject member is a parish councillor);
 - (ii) Review Sub-Committee – 3 Members (1 Independent Member (Chairman), 1 Elected Member, 1 other member who should be a Parish Representative if the subject Member is a parish councillor); and
 - (iii) Final Determination Sub-Committee – maximum 7 Members (1 Independent Member (Chairman), 1 Elected Member, 5 other members to include no more that one Parish Representative who must sit if the subject Member is a parish councillor).

43/07 **PARISH COUNCILS' REPRESENTATIVE UPDATE REPORT**

Mr. J. Cypher, the Parish Councils' Representative on the Standards Committee, provided the Committee with an update on the latest meeting of the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils (CALC). It was noted that nominations for Parish Council representatives on the Standards Committee for 2008/09 would be dealt with

at the next meeting in June. Mr Cypher also thanked officers for the training which was currently being put in place for parish councils, which was greatly appreciated.

RESOLVED that the updates provided be noted.

44/07 **RE-APPOINTMENT OF PARISH COUNCILS' REPRESENTATIVES**

The Deputy Monitoring Officer tabled a slightly amended 'job description' for Parish Representatives on the Standards Committee, which had required some minor updates in the light of certain provisions contained within the Standards Committee (England) Regulations 2008. This would be referred to the next Bromsgrove Area Committee meeting of the Worcestershire County Association of Local Councils (CALC) in June in order that parish council nominees had an understanding of the role of parish representatives on the Committee.

The Deputy Monitoring Officer advised that as the Regulations, which required that there be a minimum of two parish council representatives on the Standards Committee, came into force on 8th May 2008, there would be a recommendation put forward to the Annual Meeting of the Council on 7th May 2008 that Mr. Hodgetts, the Deputy Parish Council's Representative, be made a full member of the Standards Committee until the 16th July 2008 meeting of the Council, at which time the Parish Council Representative nominations for 2008/09 would be considered.

RESOLVED that the updated 'job description' for Parish Representatives on the Standards Committee be approved and forwarded to the Worcestershire CALC.

45/07 **PARISH COUNCILS TRAINING PROGRAMME**

Officers provided an update on training for parish councils. Equality and Diversity training sessions had taken place at County Hall and Wychavon District Council on 23rd and 24th April 2008 and the Monitoring Officer and Deputy Monitoring Officer had attended some parish council meetings to provide training on the Code of Conduct and associated matters. Further workshop style training sessions were also planned to assist councillors in completing their register of interests forms and officers would continue to assist where requested. Discussions were taking place with Richard Levett, Executive Officer of Worcestershire County Association of Local Councils, to see what additional training was required. However, resources were an issue as changes to the District Council's Constitution, which were due to come into effect on 1st May 2008, required that only Members who had received appropriate training by 1st September 2008 would be permitted to sit on or substitute on the Council's formal committees, boards or panels.

The Chairman welcomed the training that was being put in place for parish councils and thanked officers for the work they had undertaken with this. Thanks was also expressed to Mr. Cypher for the updates he was providing the Committee with on behalf of the Parish Councils.

RESOLVED that the position be noted.

46/07 **MONITORING OFFICER'S UPDATE REPORT**

Member Investigations/associated matters

Members heard that a final determination hearing would be taking place on 20th May 2008, for which the Investigating Officer's findings, in two respects, were that there had been no breach of the Code of Conduct and, in one respect, that there had been a breach of the Code. Two separate investigations, one in relation to a parish councillor and the other a district councillor, were currently being undertaken, the final reports for which were expected in mid and late June. The Standards Board was also considering a further district matter to see whether this was suitable for investigation. It was noted that as the Standards Committee (England) Regulations 2008 were due to come into force on 8th May 2008 any ongoing matters would be dealt with under the previous rules which were in place at the time the complaint was made.

Member Training

Officers advised as follows:

- A further 'Mock Council' training session was planned for 6.00pm on Wednesday, 21st May 2008 in the Council Chamber. This would include new furniture layout and a pilot for improved technical links for matters under discussion at Council meetings. An invite was extended to all members of the Committee should they wish to observe this.
- Any members of the Committee interested in attending the "Local First Sieve" event at Cannock Chase District Council on 10th June 2008 should notify officers as soon as possible.
- A training exercise, including case studies, on local assessment would be included in the agenda for meeting of the Committee on 12th June 2008.
- Chairmanship training for the Committee's Independent Members was to be arranged and the Council's Monitoring Officer would contact the Independent Members to agree a suitable date for this.
- A final training session on the new Code of Conduct was being arranged for those Members who had not yet undertaken training on this. The Leader of the Council had spoken with the Members concerned and the training for this was likely to be completed within the next couple of months.
- In accordance with impending Constitutional changes, Standards Committee training would need to be undertaken by any new members of the Committee by 1st September 2008.

RESOLVED that the updates provided be noted.

47/07 **WORK PROGRAMME**

Consideration was given to the Committee's Work Programme, which included additional items on training for the new local assessment regime and review of the effectiveness of the Code of Practice - Planning Services.

RESOLVED that the Work Programme be approved.

The meeting closed at 7.24 p.m.

Chairman