

**AUDIT, STANDARDS AND
GOVERNANCE COMMITTEE**

16th June 2016

MONITORING OFFICER'S REPORT

Relevant Portfolio Holder	Councillor Geoff Denaro
Portfolio Holder consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards affected	All Wards
Ward Councillor consulted	N/A

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out the position in relation to key standards regime matters which are of relevance to the Audit, Standards and Governance Committee since the last full meeting of the Committee on 24th March 2016.
- 1.2 It is proposed that a report of this nature be presented to each meeting of the Committee to ensure that Members are kept updated as to any relevant standards matters.
- 1.3 Any further updates arising after publication of this report will be reported on orally by Officers at the meeting.

2. RECOMMENDATION

That, subject to Members' comments, the report be noted.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising out of this report.

Legal Implications

- 3.2 The Localism Act became law on 15th November 2011. Chapter 7 of Part 1 of the Localism Act 2011 ('the Act') introduced a new standards regime effective from 1st July 2012. The Act places a requirement on authorities to promote and maintain high standards of conduct by Members and co-opted (with voting rights) Members of an authority. The Act also requires the authority to have in place arrangements under which allegations that either a district or parish councillor has breached his or her Code of Conduct can be investigated, together with arrangements under which decisions on such allegations can be made. The Relevant Authorities (Disclosable Pecuniary

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Interests) Regulations 2012 were laid before Parliament on 8th June 2012 and also came into force on 1st July 2012.

Service / Operational Implications

Member Complaints

- 3.3 Regarding the ongoing complaint reported at the last meeting (complaint made by a member of the public against a parish councillor relating to an alleged failure by the parish councillor to declare another disclosable interest), this complaint has since been resolved locally.
- 3.4 There has also been an investigation into a Member to Member complaint alleging corruption. The reporting of this complaint did not follow the normal reporting process but was nevertheless investigated and has resulted in a recommendation that there be a review into the process for recording Gifts and Hospitality and the training that Members receive in this regard. Members may wish to consider adding this to their Work Programme or referring it to the Constitution Working Group for review.

Member training

- 3.5 Since the beginning of the new municipal year Planning Committee training has taken place. The training, which was delivered by Trevor Roberts Associates, was hosted by Redditch Borough Council and included Member attendees from Bromsgrove, Redditch and Stratford-on-Avon Councils. The training comprised two evening sessions on 'A Short Briefing on Planning for Councillors' and 'The Role of Councillors in Planning: Propriety and Good Practice'. The training set out the scope and context of the planning system, including the associated policy and legal frameworks, together with the different roles that councillors play in the planning process and the potential conflicts between these roles. The training was very well received with positive feedback from both Members and Officers.
- 3.6 Various additional training events will be taking place to introduce/refresh Members on the work of their committees.
- 3.7 General (non-mandatory) training for the Audit, Standards and Governance Committee will take place immediately prior to this evening's meeting. The training is aimed to support members of the Committee and any Members who may wish to sit as substitutes on the Committee. The training will outline the role of the Committee and what types of reports the Committee will consider from a Standards, Finance (s151 Officer) and Internal Audit perspective. Separate quasi-judicial training is required for the conduct of

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any standards hearings (none required since the introduction of the current standards regime in July 2012), which will be arranged as and when required.

3.8 Further training to assist Members in their roles as councillors are planned. These include sessions on:

- Child Sexual Exploitation – a North Worcestershire perspective (for members of the Licensing Committee);
- Safeguarding and prevent;
- Data protection; and
- Briefings on the Local Plan in preparation for consideration of the Inspector's report and proposed modifications.

Parish Representatives on the Committee

3.9 The membership of the Audit, Standards and Governance Committee includes two non-voting co-opted Bromsgrove Parish Councils' Representatives, who may not also be district councillors. A Deputy Parish Representative is also sought in the event they need to substitute for a Parish Representative. These appointments are effective to each Annual Meeting of the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils (CALC) in June.

3.10 At the time of preparing this report the current Representatives were Parish Councillors Chris Scurrall of Belbroughton Parish Council and John Ellis of Stoke Parish Council. No Deputy Parish Representative had been appointed for 2015/16. The 2016/17 appointments are due to be reviewed by CALC at its Annual Meeting on 8th June 2016. As these roles are non-voting co-opted no separate appointments process is required by the District Council; the appointments made at CALC are automatic and are for noting only. Details of any new appointees determined by CALC on 8th June will be confirmed by Officers at the meeting.

Customer / Equalities and Diversity Implications

3.11 There are no direct implications arising out of this report. Details of the Council's arrangements for managing standards complaints under the Localism Act 2011 are available on the Council's website and from the Monitoring Officer on request.

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4. RISK MANAGEMENT

The main risks associated with the details included in this report are:

- Risk of challenge to Council decisions; and
- Risk of complaints about elected Members.

5. APPENDICES

None.

6. BACKGROUND PAPERS

Chapter 7 of the Localism Act 2011.

AUTHOR OF REPORT

Name: Debbie Parker-Jones (Democratic Services Officer)
Email: d.parkerjones@bromsgroveandredditch.gov.uk
Tel: 01527 881411