

**BROMSGROVE DISTRICT COUNCIL**

**Audit, Standards &  
Governance Committee  
2021**

15<sup>th</sup> July

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**MONITORING OFFICER'S REPORT**

Relevant Portfolio Holder	Councillor Geoff Denaro – Portfolio Holder for Governance
Portfolio Holder Consulted	Yes
Relevant Head of Service	Yes
Report Author Claire Felton	Job Title: Head of Legal, Democratic and Property Services Contact email: <a href="mailto:c.felton@bromsgroveandredditch.gov.uk">c.felton@bromsgroveandredditch.gov.uk</a> Contact Tel: 01527 881429
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Audit, Standards and Governance Committee is asked to RESOLVE that:-**

**1) subject to members' comments, the report be noted**

**2. BACKGROUND**

- 2.1 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 update provided at the meeting of the Committee in March 2021.
- 2.2 It has been proposed that a report of this nature be presented to each meeting of the Committee to ensure that Members are kept updated with any relevant standards matters.
- 2.3 Any further updates arising after publication of this report, including any relevant standards issues raised by the Parish Councils'

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Representative(s), will be reported on orally by Officers/the Parish Representative(s) at the meeting.

**3. FINANCIAL IMPLICATIONS**

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

**4. LEGAL IMPLICATIONS**

4.1 Chapter 7 of Part 1 of the Localism Act 2011 ('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.

**5. STRATEGIC PURPOSES - IMPLICATIONS**

**Relevant Strategic Purpose**

5.1 It is important to ensure that the Council manages standards regime matters in an appropriate manner. The issues detailed in this report help to ensure that there is an effective and sustainable Council.

**Climate Change Implications**

5.2 There are no specific climate change implications

**6. OTHER IMPLICATIONS**

**Equalities and Diversity Implications**

6.1 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.

**Operational Implications**

6.2 Member Complaints

Since the last meeting of the Committee, all complaints have now been resolved locally and no new ones received since the last meeting.

The New Normal

- 6.3 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 enabled Councils to hold virtual meetings in 2020 and early 2021. The regulations in respect of remote meetings only applied until 6th May 2021. As a result, from 7th May 2021 formal Committee meetings needed to take place physically once more.
- 6.4 In April 2021 the High Court considered a case brought by Hertfordshire County Council, Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO) which challenged the requirement the return to holding committee meetings in person. The High Court ruled that primary legislation was required to enable formal committee meetings to be held virtually in England and therefore Councils had to return to convening these meetings in person from 7<sup>th</sup> May 2021 onwards. In a post-script to this the High Court subsequently ruled that the public must be provided with physical access to meetings held in person though it was recognised that this needed to be organised in a safe manner.
- 6.5 In organising meetings to be held in person, the Council had to ensure compliance with social distancing rules. An officer working group was established to review meeting arrangements for committee meetings that would take place in person. As part of this work the group took into account the information provided in the Ministry of Housing, Communities and Local Government Covid-19: Guidance for the safe use of Council buildings which referred to the social distancing arrangements and how these and other mitigating measures could safely be implemented in a physical committee meeting environment.

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In line with this guidance meetings held between 17<sup>th</sup> May 2021 and 21<sup>st</sup> June (subsequently extended to 19<sup>th</sup> July when the deadline for the Roadmap out of Lockdown was altered) are being organised so that attendees sit one metre apart when wearing face masks or 2 metres apart if they are exempt from wearing face masks and/or are wearing a visor.

- 6.6 Taking into account social distancing rules the Council can accommodate the majority of Council meetings in the Parkside Suite. However, there is not sufficient capacity in the Parkside Suite to accommodate Full Council meetings whilst social distancing measures remaining in place. Therefore, Council meetings during this time have needed to take place at an external venue where there is greater capacity. For example, on 19<sup>th</sup> May 2021 the Annual Council meeting took place at the Ryland Centre.
- 6.7 In-depth and refresher training for Planning was offered to Members in May 2021. This training took place online and was facilitated by the Head of Planning, Regeneration and Leisure Services and other Planning officers. A further Planning Refresher training session was offered to Members that were unable to attend training in May 2021.
- 6.8 The Member Development Steering Group met on 21<sup>st</sup> June 2021. During this meeting training needs were discussed and a requirement for the additional Planning refresher session was agreed. The Group also considered the content of the draft Members' ICT Policy. Further meetings of the group are due to take place later in the year.
- 6.9 The Constitution Review Working Group continues to meet regularly. Any recommendations arising from meetings of this group will be reported to Council for Members' consideration.

**7. RISK MANAGEMENT**

- 7.1 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.

**8. APPENDICES and BACKGROUND PAPERS**

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No appendices.

Chapter 7 of the Localism Act 2011.

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**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Councillor Geoff Denaro – Portfolio Holder for Governance	
Lead Director / Head of Service	Claire Felton - Head of Legal, Equalities and Democratic Services and Monitoring Officer	30/06/2021
Financial Services	N/A	
Legal Services	Claire Felton - Head of Legal, Equalities and Democratic Services and Monitoring Officer	30/06/2021
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	N/A	