

# Standards Committee

**Thursday, 8 December 2011**

**Present:** Tony Ellwood (Independent Chair), Councillor Debra Platt (Vice-Chair) and Councillors Marie Gray, Catherine Hoyle, Marion Lowe, Gwynne Furlong (Independent Member), Bill Mason (Parish Council representative) and Tony Wilson (Parish Council Representative)

**Officers in attendance:** Chris Moister (Head of Governance / Monitoring Officer) and Dianne Scambler (Democratic and Member Services Officer)

## **11.S.17 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Stella Walsh and Independent Member Hugh Evans.

## **11.S.18 DECLARATIONS OF ANY INTERESTS**

No declarations of any interest were received.

## **11.S.19 MINUTES**

**RESOLVED – That the minutes of the Standards Committee meeting held on 15 September 2011 be held as a correct record for signing by the Chair.**

## **11.S.20 THE LOCALISM ACT - IMPACT ON THE STANDARDS REGIME**

The Monitoring Officer presented a report to update the members of the Committee on the Localism Act and the proposed changes to the standards regime for Local Authorities.

The Localism act received royal assent on 15 November 2011 and the Act significantly changes the standards regime for members. It criminalises some behaviours, brings to an end the Standards for England and revokes the Model Code of Conduct which had been adopted by this authority. It also brings within statute the common law rules concerning predetermination.

The Act abolishes the organisation Standards for England and local authorities would now be expected to adopt their own systems regulating the conduct of councillors. Key features would be:

- The adoption of a local code of conduct
- Members responsibility to disclose and register pecuniary and other interests
- A local standards investigation and enforcement regime
- The use of Independent Members
- Standards Complaints to be made in writing
- Sanctions
- Register of Interests
- Pecuniary Interests and Participation in Meetings
- Pecuniary Interests and Decision Making
- Sensitive Interests
- Dispensations

The Committee discussed the above in detail, particularly around the continued responsibility on members to disclose and register pecuniary interests and other interests and the new rules around the use of Independent Members.

There will still be a requirement that any standards regime adopted appoints at least one independent member, although initial advice states that any independent member appointed under the new regime cannot have sat on the existing Committee. This would mean that we would lose our three present Independent Members, bearing in mind that this would affect every authority, the Monitoring Officer explained that further advice on this matter was being sought.

Parish Council will also still be required to adopt a code of conduct which complies with the Act, they would also still be required to register their financial and other interests and the Monitoring Officer, along with being responsible for ensuring the registers were available for public inspection at all reasonable hours, would have the further responsibility of publishing them on the Council's website.

There is no clear timetable for the implementation of these changes, however, it appears certain that Standards for England will cease by 31 March 2012, so the local code will be expected to be in place by 1 April.

**RESOLVED – That the report be noted.**

#### **11.S.21 LOCAL CASES UPDATE**

The Monitoring officer updated the Committee on the local cases that had been dealt with since the last meeting.

**RESOLVED – That the update be noted.**

#### **11.S.22 FEEDBACK FROM VISITS TO TOWN AND PARISH COUNCILS**

The monitoring officer asked those Members that had not yet made their visits to explain the importance of completing their register of financial and other interest forms, particularly in light of the proposed changes around publication of the registers in the Localism Act.

**RESOLVED – That this information be noted.**

#### **11.S.23 CHRISTMAS GREETINGS**

The Chair wished everyone a Merry Christmas and a Happy New Year.

#### **11.S.24 DATE OF NEXT MEETING**

**The next meeting of the Committee would be on 1 March 2012 at 2.00pm**

Chair