

MINUTES OF: THE MEETING OF THE STANDARDS COMMITTEE

Date of Meeting: 21st June 2011

**PRESENT: Councillors L Barnes, Cheetham, Essex, Kenyon, Marriott and
McInnes
Whitworth Town Councillor D. Barnes
Mrs I Divine, Independent Member
Mr K Pilkington, Independent Member**

**IN ATTENDANCE: Sian Roxborough, Head of Legal
Jenni Cook, Committee Officer**

1. ELECTION OF CHAIR

The Head of Legal and Democratic Services asked for nominations for the Chair of the Standards Committee.

Mrs Irene Divine was proposed and seconded.

Resolved:

That Mrs Irene Divine was elected as Chair of the Standards Committee for the municipal year 2011/12.

Mrs Divine took the Chair for the remainder of the meeting.

2. ELECTION OF VICE CHAIR

The Chair asked for nominations for the Vice Chair of the Standards Committee.

Mr Andrew Neville was proposed and seconded.

Resolved:

That Mr Andrew Neville was elected as Vice Chair of the Standards Committee for the municipal year 2011/12.

3. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies had been received from Mr Andrew Neville, Councillor Mellor, Councillor Gill (Councillor Marriott substituting) and Councillor Shipley (Councillor L Barnes substituting).

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. URGENT ITEMS

The Chair confirmed that there were no urgent items of business.

6. MINUTES OF THE PREVIOUS MEETING

Resolved:

That the Minutes of the Standards Committee held on 31st January 2011 be confirmed as a correct record.

7. CHAIR'S UPDATE

The Chair of the Standards Committee provided Members with an update as follows:-

Councillor James Grogan

The Chair noted the sad passing of former Whitworth Town Councillor James Grogan last month. Councillor D Barnes paid tribute to him and his service on Rossendale Borough Council and Whitworth Town Council over the past 30 years.

The Committee held a minute's silence.

8. PUBLIC QUESTION TIME

There were no members of the public present.

9. LOCALISM BILL UPDATE

The Head of Legal and Democratic Services outlined the report which updated Members on the progress of the Localism Bill. The Bill was receiving its second reading in the House of Lords and it was expected to receive Royal Assent in late summer 2011. It was proposed that a Sub-Group be formed to discuss the implications of the Localism Bill and present a report with options to the next Standards Committee Meeting.

The Localism Bill was intended to devolve greater powers to local authorities and in particular for Standards, this would mean the introduction of a local Code of Conduct, introducing local accountability and it would be a criminal offence to deliberately fail to declare a personal interest in a matter.

The Chair noted that at the last Committee it was proposed that a Consultation Response Group be set up; however it became apparent that no consultation was proposed to be carried out by the Department of Communities and Local Government (DCLG). It was therefore felt that there would be little point in continuing with a Consultation Response Group.

Members discussed the report and the following comments were made:-

- A Plain English Guide to the Localism Bill was available on the DCLG website and it was noted that no guidance notes had yet been produced to assist a Sub-Group.
- Membership of the Sub-Group.
- Importance of having arrangements in place for the accountability of Councillors once the Standards Board is abolished.

Resolved:

1. That status quo would be maintained.
2. That a Sub-Group will meet as soon as guidance is produced by the Department of Communities and Local Government and would present options to a future meeting of the Standards Committee.

10. TRAINING UPDATE

The Head of Legal and Democratic Services introduced the report which provided an update on the attendance at training sessions by Members, in accordance with the Member Training and Development Strategy. It was noted that Members were expected to attend a minimum of 5 training sessions in a municipal year. Members appointed to or who would be expected to substitute on Regulatory Committees had to attend the appropriate training, otherwise they could not participate.

It was noted that 7 training sessions had taken place since the start of the municipal year and where Members were unable to attend; one-to-one sessions had been taken up. A summary of training attendance was provided as follows:-

- 100% of Development Control Committee Members had attended training in May 2011.
- 73% of Licensing Committee Members had attended training in May 2011 and the remaining Members had already undertaken training.
- 67% of Standards Committee Members had attended training in May 2011 and the remaining Members had already undertaken training.

The Head of Legal and Democratic Services noted that 33% of Members had already undertaken the 5 required training sessions, which was an improvement on the figure at the end of June 2010, which was 17%.

The Head of Legal and Democratic Services advised that the Bribery Act would come into force on 1st July 2011, which would impact upon Members and Officers. The process of implementing the Act was beginning which would include a review of all Fraud/Anti-Corruption related Policies through the Management and Committee system. It was noted that a training session for Members would be likely held later on in the year.

Members discussed the report and the following comments were made:-

- Consequences of not attending 5 training sessions – it was noted that attendance was monitored by the Member Development Working Group and Group Leaders were informed on non-attendance.
- Attendance at training sessions where the legislation had not changed and the sessions were more geared towards new Members.
- Training opportunities with other local authorities.
- Requirement to attend regulatory training if already attended 2-3 times.
- Importance of raising training needs when completing the Member's Personal Development Plan (PDP).

Resolved:

That the report is noted.

11. CONSTITUTION REVIEW – CO-OPTED MEMBERS AND VOTING RIGHTS

The Head of Legal and Democratic Services introduced the report which proposed that Co-opted Members of the Overview and Scrutiny Committee be given voting rights. The Council's Constitution did not currently include voting rights, in line with previous legislation of the Local Government Act 2000 Part 2, Section 21. However, the Local Government Act 2003 Part 8, Chapter 1, Section 115 had brought in the option to permit voting rights for Co-opted Members. Members were asked to recommend a constitutional change to Full Council as follows:-

Scheme for Co-optees of Members of Overview and Scrutiny Committees

Definitions

A Co-opted Member is a member of an Overview and Scrutiny Committee who is not an elected member of the Council.

The Scheme

The Council will, from time to time, wish to draw on the expertise and knowledge of people within the community when undertaking its scrutiny function. To foster a sense of accountability and inclusivity in the decision making process, the Council consider that such co-optees should be granted voting rights on Overview and Scrutiny Committees.

General Principles

Co-opted members will be subject to the members Code of Conduct and must sign a declaration of office and complete a Personal Interests Form of any relevant interests.

Members discussed the report and the following comments were made:-

- Importance of complying with up-to-date legislation.
- Public perception and the importance of ensuring that the role of Co-opted Members was clarified by Chairs of Committees.

Resolved:

That a recommendation is made to Full Council to implement a constitutional change to give Co-opted Members, who serve on Overview and Scrutiny Committees, voting rights.

12. MEMBERS REGISTER OF INTERESTS

The Head of Legal and Democratic Services reminded Members that changes to the Register of Interests must be updated within 28 days and that advice on interests was available from the Legal Department.

13. STANDARDS COMMITTEE WORKPLAN

The Head of Legal and Democratic Services outlined the work carried out by the Standards

Committee for the previous year and the proposed Workplan for 2010/11.

Resolved:

1. That the Workplan for 2011/12 be noted with the addition of the Bribery Act.

14. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from the meeting during consideration of the following item of business on the grounds that it involves disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 2 of Schedule 12A to the Local Government Act 1972.

15. STANDARDS COMPLAINTS UPDATE

The Head of Legal and Democratic Services provided Members with a verbal update on complaints to the Standards Committee since the last meeting. It was noted that that the relevant deadlines had been complied with.

Resolved:

1. That the update is noted.

The meeting commenced at 6.30pm and concluded at 7.30pm

_____ CHAIRMAN