

## SOUTH RIBBLE BOROUGH COUNCIL

### Standards Committee

Meeting held at 4.30pm on Thursday 8 March 2012 in the Cross Room, Civic Centre, West Paddock, Leyland, PR25 1DH

#### Present:-

Independent Member Mr J Holt (In the chair)

Independent Member Mr S Ellison

Borough Councillors Michael Green, Harrison, Heyworth, Otter and Miss Walker

Parish Councillors Mrs Gelder, Mrs Houghton and Mr R Mitchell

#### In Attendance:-

Maureen Wood (Director of Corporate Governance), David Whelan (Legal Services Manager), Kay Lovelady (Principal Solicitor) and Carol Eddleston (Democratic Services Officer)

#### Public Attendance:-

None

#### Other Officers:-

One

| Minute No. | Description/Resolution  |
|------------|---|
| 1          | <b>Apologies for Absence</b><br>Apologies for absence were submitted on behalf of Independent Chairman Russell Atkinson and Councillor Mrs Mort.  |
| 2          | <b>Declarations of Interest</b><br>There were no declarations of interest.  |
| 3          | <b>Minutes of the Last Meeting</b><br>RESOLVED (unanimously):<br>That the minutes of the meeting held on 9 June 2011 be approved as a correct record and signed by the chairman.  |
| 4          | <b>Report on the Localism Act 2011 – Update on the New Standards Regime</b><br>The Legal Services Manager and the Principal Solicitor delivered a presentation outlining the current position in relation to the Localism Act 2011, the new provisions including a Code of Conduct, the disclosure of pecuniary and non-pecuniary interests, the constitution of any committee responsible for dealing with complaints, sanctions available and what this council needed to do and by when in order to comply with the act. They responded to members' observations and questions and asked members for their views on the issues raised in the presentation.<br><br>All members of the committee lamented the fact that there would be no requirement in the future for independent or town/parish council representation on any new committee responsible for dealing with complaints about members. They and officers felt strongly that the independent and parish council members of the current Standards Committee |

had played an invaluable role in the current standards regime and this, together with the efficiency and effectiveness with which it had been chaired, would be a huge loss to the council. They acknowledged that whilst local authorities could appoint independent and town/parish council members to any such committee in the future, those members would not have voting rights. They suspected that this might impact on the commitment and calibre of potential applications, especially for the role of independent person who would only be acting in an advisory capacity. It was particularly regrettable that the legislation dictated that current co-opted independent members could not be appointed to the role of the Independent Person in the next five years, possibly to avoid any suggestion that their involvement with the council over recent years might have compromised their independence in the future. They noted that any new committee would be politically proportionate and expressed their hope that members would continue to conduct themselves on the committee in an apolitical manner.

The chairman regretted that there was very little that local authorities could do at this stage as Royal Assent had been given but, aware that members felt so strongly, he suggested that the committee might make representations to the government to delay the commencement order and proceedings whilst it reconsidered future local authority standards arrangements.

Parish Council representative Mrs Gelder said that she had seen a recent report from another local authority which seemed to suggest that having a joint borough/parish council committee to consider standards related issues might enable parish councillors to have voting rights. Officers agreed to look into this option as time permitted.

RESOLVED (unanimously):

That a letter of representation be sent on behalf of the committee to the government to seek a delay to the commencement order and proceedings and to request the government reconsider future local authority standards arrangements.

Members' responses to the specific questions posed at the end of the presentation are summarised below:

*Interests – Do you favour a model code similar to SRBC code? Do you favour a single code of conduct across Lancashire if possible?*

Members believed it would be sensible to adopt a model code which was as similar as possible, if not identical, across the county and this would be particularly helpful for dual- or multi-hatted members.

*Do you favour a Standards Committee or do you want to pass responsibility for standards to the Governance Committee?*

Members acknowledged that the decision would ultimately be made by full Council but expressed broad support for a separate Standards Committee which could focus on standards related issues rather than passing responsibility to another committee which already had a substantial workload. However there was a view that the new regime presented an opportunity for the Council to streamline committee arrangements and perhaps make some efficiencies.

*Do you wish to retain non-voting co-optees – Independent? Parish?*

Members suggested that there may be a lack of motivation to attend and contribute to meetings in view of the limited role that co-opted members would have. They felt strongly that it was important to have parish or town council experience and knowledge on a committee which would potentially be dealing with issues relating to parish or town

councillors. Parish Councillor Mrs Houghton thought that parish councils would still wish to be involved despite the narrower role that any of their representatives would have. The general consensus was that any future committee should include independent and parish council co-optees.

*What are your views about the suggested process for dealing with complaints about members?*

There was general support for dealing with complaints quickly and informally and it was noted that a subject member could be informed much more promptly than was currently the case that a complaint had been received about him/her. Members acknowledged that group members were expected to abide by group rules and suggested that there was scope for group leaders and whips to hold informal discussions about how these aligned with the standards regime.

The chairman thanked members for their views. These would be considered wherever possible for shaping the way forward. A special meeting was likely to be held in early May when the guidance was clearer and this would give the committee an opportunity to run through proposals before they were presented to Council at the end of May.

RESOLVED (unanimously):

That the report be noted and that members' views be incorporated wherever possible to shape the way forward.

..... (Chairman)

The meeting finished at 5.39pm.