

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Wednesday, 8 February, 2012 at 6.00 p.m. at Civic Offices, Telford

PRESENT: Councillors S. Davies, A.D. McClements, R.J. Sloan and A.J. Stanton;
Mr A. Selvaratnam (Chair) (Independent Member);
Councillors D. Edwards, P. Fairclough, R. Wickson and R. Williams (Parish Council representatives)

ST-17 MINUTES

RESOLVED – that the minutes of the meeting of the Standards Committee held on 8 December 2011 be confirmed and signed by the Chairman.

ST-18 APOLOGIES FOR ABSENCE

Councillors C.B.A. Elliott and T.J. Hope
Mr F Beasland (Independent member)

ST-19 DECLARATIONS OF INTEREST

None

ST-20 THE WAY FORWARD FOR STANDARDS

The Assistant Director: Law, Democracy & Public Protection and Monitoring Officer presented a report which set out proposals for a future ethical standards regime at Telford & Wrekin in accordance with the provisions of the Localism Act 2011.

Following the principles that were agreed at the last meeting (minute ST-16(a)), proposals had been developed for a new ethical standards framework for the Council. Appended to the report were a draft Members' Code of Conduct based on the seven principles identified in the legislation; proposed arrangements for dealing with complaints of a breach of the Code of Conduct; and the proposed terms of reference for the new Standards Committee. Since the last meeting, the Government had announced that the start date for the new regime would now be 1 July 2012 instead of 1 April. Parish and Town Councils had been asked for their views on the proposals, although only a couple of them had responded so far – both of whom were broadly in favour of what was being proposed. The Parish representatives stated that many Parish & Town Councils had not yet had an opportunity to meet and discuss the proposals. In response, the Monitoring Officer stated that, due to the implementation date being put back, recommendations could be delayed to the May Council meeting, which would give more time for responses from parishes to be submitted.

During discussion on the impact the new regime would have on Parish and Town Councils, the Monitoring Officer advised that the new regime was based much more on self-regulation, with Parish Councils taking on responsibility for the conduct of their members and deciding on what action should be taken in the event of a breach of the Code. However, appropriate support would continue to be provided to Parish and Town Clerks. In terms of the new Code of Conduct, the Monitoring Officer confirmed that the Act required all Parish Councils to draw-up their own Code. Members suggested that it would be beneficial if a common Code of Conduct was adopted by all the Parishes in order to establish a common benchmark and to make it easier for individuals who were a member of more than one Parish Council. The Legal Services Manager advised that the National Association of Local Councils was working on a model Code for Parish and Town Councils to adopt – but ultimately it would be for each individual Council to decide.

The Monitoring Officer further reported on discussions he had had with the Fire Authority and with the Monitoring Officer for Shropshire. There was agreement that there should be a consistency of approach in respect of the new regime, and accordingly the same Code (and arrangements) were being recommended for approval at each authority. As part of these discussions, there had been recognition of the advantages of having a joint or shared Independent Person resource. The Committee were therefore asked to amend the delegation given at the last meeting for the Monitoring Officer to recruit an Independent Person, in order to pursue a shared option with Shropshire Council and/or the Combined Fire Authority.

Members were in broad agreement to progress the way forward outlined in the report. However, it was suggested that the new Standards Committee undertake a review of the new ethical standards regime after six months of operation, in order to assess how effectively it had been operating. The Monitoring Officer advised that a review mechanism could be incorporated into the proposed terms of reference for the Committee.

RESOLVED – To RECOMMEND to COUNCIL

- (a) that a politically balanced Standards Committee comprising of 7 members of the Council, including at least one member of the Executive, be established;**
- (b) that a politically balanced Hearings Sub-Committee comprising 3 members of the Council be established;**
- (c) that, subject to (d) below, the draft Code of Conduct, as appended to the report, be approved for adoption as the Council's Code of Conduct with effect from 1 July 2012 or the date that the ethical standards regime must be implemented by;**
- (d) that authority be delegated to the Monitoring Officer, in consultation with the Deputy Leader, to make the necessary**

amendments to the draft Code of Conduct to accommodate the provision of regulations made pursuant to the Localism Act.

RESOLVED - that the authority delegated to the Monitoring Officer at the last meeting (minute ST-16(b)) in relation to the recruitment of an Independent Person(s) be amended to enable a shared option with Shropshire Council and/or the Combined Fire Authority (and other public bodies if appropriate) to be pursued, and that at least one member of the Standards Committee be involved in the recruitment of an Independent Person(s).

The meeting ended at 6.35 pm

Chairman:

Date: