

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Thursday, 8 December, 2011 at 6.05 p.m. at Civic Offices, Telford

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

ST-13 MINUTES

RESOLVED – that the minutes of the meeting of the Standards Committee held on 21 September 2011 be confirmed and signed by the Chairman.

ST-14 APOLOGIES FOR ABSENCE

Councillors T.J. Hope and A.J. Stanton
Mr F Beasland (Independent member)

ST-15 DECLARATIONS OF INTEREST

None

ST-16 LOCALISM ACT 2011 UPDATE

The Head of Governance & Monitoring Officer presented a report which provided the Committee with details of the Localism Act 2011 so far as they related to standards. Views were also sought on the future ethical framework for councillors at Telford & Wrekin, and an additional paper setting out a suggested approach was circulated at the meeting.

The Localism Act, which received Royal Assent on 15 November 2011, made numerous changes to the Councillor Code of Conduct regime. Standards Board for England would be abolished as would model codes and the undertaking to comply with the codes. The requirement for a Standards Committee would also be removed. In their place, Councils were required to adopt a code of conduct which must be consistent with 7 named principles, but it was up to each authority to adopt its own code. The Council had to have arrangements for investigations and consideration of investigation reports for complaints against Borough and Town/Parish Councillors. The Council would have to appoint an Independent Person who would be consulted during an investigation. However, this person could not be a member of the Standards Committee. New rules concerning Members' interests would be brought in, including a new criminal offence for failure to disclose defined pecuniary interests and taking part in decisions relating to the matter.

Regulations and guidance from Government, not yet published, would provide more detail, but in the meantime the Committee needed to look at the new legislation and make suggestions to full Council on a new regime. It was proposed that the next programmed meeting of the Committee on 8 March 2012 be brought forward to mid February to allow any recommendations to be considered at the full Council meeting on 1 March 2012.

Members then discussed the paper that had been tabled by the Monitoring Officer. In response to questions, the Monitoring Officer advised that there was no longer a requirement for a Standards Committee to have Independent members, nor Parish/Town Council representatives. The Borough Council would have to have arrangements for the investigation of complaints against Parish members, but any findings or recommended sanctions would not be binding on Parish Councils. A number of the Parish representatives felt that it was important for Parish and Town Councils to continue to be involved in some way in the new standards regime, particularly as some of these authorities would be taking on extra powers. The Monitoring Officer advised that some options might be available, and these could be explored during the consultation process. It was proposed to hold a Member workshop (for Borough and Town/Parish members) to explain the implications of the Localism Act, and views could also be sought at the next Parish Forum meeting. It was also suggested that a draft terms of reference for a new Standards Committee could be sent to the current Parish representatives in order to generate further discussion.

RESOLVED –

- (a) **that the Monitoring Officer be instructed to develop a new ethical framework for the Council to accommodate the provisions of the Localism Act 2011, such a framework to be based on the following principles/approaches:**
- **the appointment of a Standards Committee consisting of 7 elected members, politically balanced and including at least one member of the Executive;**
 - **the appointment of a Hearings Sub-Committee of 3 members;**
 - **consultation with town and parish councils on the appointment of parish councillors as co-opted, non-voting members of the Committee and Sub-Committee;**
 - **paragraphs 3, 4, 5, 6 and 7 of the existing Code of Conduct be used as a template in drafting the new Code of Conduct for Telford & Wrekin Council;**
 - **the proposed arrangements for dealing with complaints of a breach of the Code of Conduct set out at paragraph 8 of the tabled report;**
 - **the proposed terms of reference set out at paragraph 10 of the tabled report.**
- (b) **that the Monitoring Officer be authorised to undertake a recruitment process for an Independent Person (and 2 reserves),**

and that a sub-committee of three members (including at least one independent member) be established to interview candidates;

- (c) that authority be delegated to the Monitoring Officer, in consultation with the Chair, to determine the appropriate allowances/expenses payable to the Independent Person (and reserves);**
- (d) that the Monitoring Officer bring a report containing final proposals for a new ethics framework and a new version of the Code of Conduct to a meeting of the Standards Committee in February 2012 (date to be confirmed).**

The meeting ended at 7.02 pm

Chairman:

Date: