

STANDARDS COMMITTEE**18 June 2007****Attendance:**

Mr P Smith (Independent Member - Chairman) (P)

Councillors:

Barratt (P)

Berry (P)

Chamberlain (P)

Lipscomb (P)

Nelmes (P)

Read (P)

Independent Members and Parish Representatives in attendance:-

Ms J Bennett (Independent Member)

Ms M McCormack (Independent Member)

Ms L Banister (Parish Representative)

Ms A Clear (Parish Representative)

Mr M Westwell (Parish Representative)

95. **APOLOGIES**

Apologies for absence were received from Ms S Peach (Independent Member).

96. **MINUTES****RESOLVED:**

That the minutes of the previous meeting of the Committee held on 20 November 2006 be approved and adopted.

97. **APPOINTMENT OF VICE CHAIRMAN****RESOLVED:**

That Councillor Read be appointed Vice Chairman of the Committee for the 2007/08 Municipal Year.

98. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

99. **THE REVISED CODE OF CONDUCT**

(Report ST56 refers)

The Committee considered the above report, which set out the key changes to the Code of Conduct and recommended that Council adopt the Code, without proposing any local amendments.

During discussion, Members asked whether additional guidance was required (perhaps with examples) regarding those elements of the revised Code which related to 'bullying and intimidation'. The Corporate Director (Governance) drew attention to the revised Code guidance document recently issued by the Standards Board (and circulated to all Members), which contained a helpful explanation of both terms.

With regard to the revised guidance relating to overview and scrutiny, it was reported that further clarification from the Standards Board had established that the Code did not over-rule Sections 21(13)(a)&(b) of the Local Government Act 2000 – and so the City Council could continue with its existing practices. This meant that where a scrutiny committee required the attendance of a Member with a prejudicial interest (because of past involvement in a decision that was being scrutinised) to give evidence etc, that Member could speak and remain at the meeting whether or not the public had the same rights (for example in exempt sessions). However, where a Member with a prejudicial interest was simply given the option of whether or not to attend by a scrutiny committee, then he/she would need to declare the interest and leave the meeting when the item arose, although they could make a statement before departing.

With regard to Parish Councils, the Committee agreed that it was appropriate to encourage them to adopt the two optional elements in the Code concerning prejudicial interests and needing to have regard to the advice of the Clerk. The latter point was particularly important, because it helped to reinforce the key role of the Clerk in maintaining probity and ethics at parish level.

RECOMMENDED:

THAT THE EXISTING CODE OF CONDUCT BE REVOKED AND THE REVISED CODE, AS ATTACHED AS APPENDIX A TO THE ABOVE REPORT, BE APPROVED AND ADOPTED WITH EFFECT FROM 28 JUNE 2007

RESOLVED:

1. That all Parish Councils be advised to adopt the Parish Council version of the Code, as attached as Appendix B to the above report, including the optional elements of needing to have regard to the advice of the Clerk (paragraph 7) and prejudicial interests (paragraph 12.2), but without any local amendments.
2. That all Parish Councils be further advised that the City Council would make arrangements for the statutory advertisement of adoption to include their Council, without cost.
3. That the additions to the future work programme set out in the report be approved.

The meeting commenced at 6.15pm and concluded at 6.55pm

Chairman