

STANDARDS COMMITTEE

4 February 2008

Attendance:

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

Councillors:

Barratt (P)
Berry (P)
Chamberlain (P)

Lipscomb
Nelmes (P)
Read (P)

Independent Members and Parish Representatives in attendance

Ms L Banister (Parish Representative)
Ms J Collins (Independent Member)
Ms M McCormack (Independent Member)
Ms S Peach (Independent Member)
Mr M Westwell (Parish Representative)

1. **APOLOGIES**

Apologies for absence were received from Councillor Lipscomb.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 3 December 2007, be approved and adopted.

3. **LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**
[\(Report CAB1591 refers\)](#)

The Corporate Director (Governance) drew the Committee's attention to Part 10 of the Report which dealt with Ethical Standards and the implications for the Standards Committee with changes to take place from April 2008. These issues were further explored in Report ST63 below.

Key points within the Act were also highlighted, including the aims to increase the profile of community leadership; the options for directly elected Mayors and indirectly elected Leaders; the term of office of the Leader (which can be up to 4 years), and the implications for the electoral practices of the Council if the current practice of elections by thirds was changed to election for the whole Council on a 4 year renewal. The timetable for these changes would commence in the autumn of 2009 for introduction in 2011 and would be the subject of public consultation.

RESOLVED:

1. That the Report, and its likely impact upon future work programmes, be noted.
2. That the Committee note that it will be asked to recommend appropriate changes to its procedures to take account of the Act, as further information by way of regulations and statutory guidance becomes available during 2008.

4. **STANDARDS BOARD BULLETIN 36 AND PROPOSED INCREASE IN SIZE OF THE STANDARDS COMMITTEE**
[\(Report ST64 refers\)](#)

The Corporate Director (Governance) provided an overview of how he envisaged that the workload of the Committee could increase under the proposed new duties of filtering and assessing all complaints. He provided information on the workload over the previous 12 months and how the referred cases had been dealt with. He commented that the number of referrals could be expected to increase, in response to any controversial local issue that generated public concern.

The Corporate Director (Governance) stated that a possible approach to local filtering would be to have two Sub-Committees, one to filter the complaint and the second to undertake a review if required.

During debate, the Committee raised questions over the resources available to support the new arrangements, including the additional demands on Independent Members to chair the Sub-Committees. It also commented that undertaking the correct decision making procedure on the initial consideration would make the process of review much quicker and that the training of the Committee was very important.

In response, the Corporate Director (Governance) stated that all options to deliver the new arrangements would be considered. These might include joint or reciprocal arrangements with other authorities to undertake, for example, filtering or hearing of cases where there was a conflict of interest, and the use of rotas for Committee members to share the workload. The Committee expressed the view that, wherever practicable, the Committee should seek to undertake the additional functions locally. The use of external legal practices for investigations would also be considered.

At the conclusion of debate the Committee agreed to request Council to increase the numbers on the Committee, as set out in the Report.

RECOMMENDED:

1. THAT, HAVING REGARD TO THE LIKELY FUTURE WORKLOAD TO BE UNDERTAKEN BY THE STANDARDS COMMITTEE, THE NUMBER OF CITY COUNCILLORS AND PARISH REPRESENTATIVES BE INCREASED BY ONE EACH, GIVING AN OVERALL COMMITTEE MEMBERSHIP OF 15 AS FOLLOWS:-

CITY COUNCILLORS - 7

**INDEPENDENT MEMBERS - 4
PARISH REPRESENTATIVES - 4**

2. THAT THE INCREASE IN PARISH REPRESENTATIVES BE IMMEDIATE, BUT THE INCREASE IN CITY COUNCILLORS BE NOT INTRODUCED UNTIL THE ANNUAL MEETING OF THE COUNCIL ON 14 MAY 2008.

3. THAT THE CORPORATE DIRECTOR (GOVERNANCE) BE AUTHORISED TO MAKE THE NECESSARY AMENDMENTS TO THE CONSTITUTION.

**4. ORDERS AND REGULATIONS RELATING TO THE CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND - CONSULTATION
[\(Report ST63 refers\)](#)**

The Committee considered the proposed responses to the consultation paper as set out in the Report.

The Committee agreed that the response to Question 16 should be amended as set out in the resolution below.

RESOLVED:

That the proposed responses to the consultation paper, as set out in this Report, together with the following amendments agreed by the Committee, be submitted to the Department of Communities and Local Government.

- Question 16 response to be amended so that the reformed conduct regime should be implemented 4 months after the legislation and guidance is available in order that effective training can be given.
- Question 16 response to also express concern that the additional workload may discourage suitable volunteers coming forward for the Independent Member and Parish Representative roles.

5. STANDARDS COMMITTEE – MEETING DATES FOR THE 2008/09 MUNICIPAL YEAR.

The Committee noted the recently agreed dates for its meetings for 2008/09 as set out in the resolution below.

RESOLVED:

That the meeting dates for the 2008/2009 municipal year, as set out below, be noted:

7 July, 15 September and 1 December 2008 and 26 January 2009 (all Mondays, at 6.15pm in the Guildhall, Winchester).

6. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Appointment of Replacement Parish Representative(s) to serve on the Standards Committee) Information relating to a particular individual. (Para 1 to Schedule 12A refers).

7. **APPOINTMENT OF REPLACEMENT PARISH REPRESENTATIVE(S) TO SERVE ON THE STANDARDS COMMITTEE**

(Report ST62 refers)

In accordance with its decision under report ST64 above, the Committee recommended the appointment of two additional Parish Representatives to Council (detail in exempt minute).

The meeting commenced at 6.15pm and concluded at 7.40pm

Chairman