

STANDARDS COMMITTEE

31 January 2011

LOCALISM BILL – FUTURE OF STANDARDS FRAMEWORK

REPORT OF CORPORATE DIRECTOR (GOVERNANCE)

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RECENT REFERENCES:

ST84 – Standards for England Bulletin 48 (27/9/10)

CAB2073 – Minutes of Standards Committee (Cabinet - 10/11/10)

EXECUTIVE SUMMARY:

The Government has now given more details about its intention to abolish the Standards Board regime, which was originally announced in the coalition agreement published in May 2010. It is the Government's intention to effect the abolition through the Localism Bill, which was introduced to Parliament on 13 December 2010. It is likely that Standards For England will cease to investigate complaints in late 2011 and will be formally abolished in early 2012.

Ahead of the legislation, Standards for England received a letter from Local Government Minister Bob Neill setting out the Government's proposition in detail, and that letter is attached as Appendix A to this report.

In summary the Government's proposals are:

- to abolish Standards for England
- to remove the First-tier Tribunal's (Local Government Standards in England) jurisdiction over member conduct
- to remove the national Code of Conduct for Councillors and the requirement to have a Standards Committee

- to allow councils to choose whether or not they wish to have a local code or a Standards Committee
- to create a criminal offence relating to failure to register or declare interests

The Minister's letter also sets out the transition arrangements that the Government intends to apply to any cases which have not been concluded when the framework ceases to operate.

On a related matter, at the last meeting of the Committee Members noted the possibility of extending the term of office of the Independent Members and Parish Representatives, to cover the period of uncertainty during which the Standards framework was being re-organised by the Government.

The matter was then considered by Cabinet, who recognised the practical benefits of extending the terms and recommended to Council accordingly.

At its meeting held on 12 January 2011, Council resolved as follows:-

'That the term of office for all existing Independent Members and Parish Representatives be extended for a period of two years from 30 April 2011, due to the uncertainty caused by the pending legislation to make substantial changes to the Standards regime.'

In view of that decision, it would be helpful at this stage if the Independent Members and Parish Representatives gave an indication at the meeting, as to whether or not they would be willing and able to serve for another two years.

RECOMMENDATIONS:

1. That the proposals for the future of the Standards framework be noted.
2. That the decision of Council to endorse the two year extension of term of office of the Independent Members and Parish Representatives be noted.

OTHER CONSIDERATIONS

CORPORATE STRATEGY (RELEVANCE TO):

An Efficient and Effective Council.

RISK MANAGEMENT ISSUES

None

RESOURCE IMPLICATIONS:

The cost of implementing any new procedures will have to be absorbed within existing resources, bearing in mind the reductions in the Council's overall budget.

The extension of the term of office of Independent Members would save on the advertising and administrative costs which are incurred when re-appointing (£1500 approx.). Parish Representatives are sought through the parish network of clerks etc and so the costs are much lower and related mainly to officer time.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1 – Letter from Bob Neill MP dated 15 October 2010