

MINUTES OF THE STANDARDS COMMITTEE
5 DECEMBER 2011

Present:

Councillors:

R.D. Dunn

G.E. Forsbrey

Mrs M.J. Madams

S.D. Taylor

Independent Members:

Mr Murray Litvak (Chairman)

Mrs Sue Faulkner (Vice Chairman)

In Attendance

Councillor C.A. Davis Cabinet member for Economic Development

Apologies: Councillors Ms P.C. Forbes-Forsyth and Mrs J.A. Dale

297/11 MINUTES

The minutes of the meeting held on 17 March 2011 were approved as a correct record.

298/11 DISCLOSURES OF INTERESTS

No disclosures were made

299/11 ETHICAL STANDARDS AND THE LOCALISM ACT 2011

To assist the Committee Councillor C. A. Davis, the Portfolio Holder for this matter attended the meeting and took part in the discussion.

The Committee considered the report of the Monitoring Officer outlining the key measures contained in the Localism Act 2011 and the proposed timetable to meet the requirements. It was noted that the Government legislation would likely take effect in April 2012.

The Committee discussed the revised pre determination rules which enabled councillors to have a preliminary view and could freely discuss and publicise their views and concerns as they see fit. This was subject to councillors being prepared to listen to all of the arguments and evidence before making their decision.

Although there was no longer a requirement to have a Standards Committee to monitor conduct, there would be a duty on an authority to promote and maintain high standards of conduct by members. The Committee discussed whether this function could be incorporated into the work of either the Overview and Scrutiny Committee or the Audit Committee or to retain a Standards Committee.

The Committee discussed the requirements to adopt a code of conduct and noted that the code must be consistent with the new set of 7 general principles and the new legislation. The Code also needed to include provisions about members' interests with the rest of the content being left to the Council to decide.

STANDARDS COMMITTEE, 5 DECEMBER 2011- Continued

In relation to register of interests the Committee noted that the Monitoring Officer would be required to keep and publish a register as before, but the details of the duty to notify were different and the registers had to be available on line. It was noted that the regulations about disclosable pecuniary interests had yet to be published.

The Committee considered how councillors would be required to make an oral disclosure at meetings if their interest had not been registered.

The Committee discussed with the Monitoring Officer what types of arrangements needed to be put in place to deal with allegations of breach of the code and how these would be investigated. It was noted that an independent person would need to be appointed. The Monitoring Officer would be obliged to consult with this Independent Person before making a decision on the complaint. The Committee expressed reservations that there were few sanctions that could be imposed other than naming and shaming and possibly the withdrawal of facilities.

RESOLVED that members of the Committee to submit their views on what should be contained in the new code of conduct to the Chairman of the Committee to enable a collective view to be presented to the Cabinet Member responsible.