

9 July 2010

Present: **(Independent Members)** Simon Lainé (Chair), Duncan Chittenden, Jon Leamon and David O'Connor. **(Borough Councillors)** Councillors John Rawson, Les Godwin and Robin MacDonald **(Parish Councillors)** Parish Councillor Gloria Coleman

Also in attendance: **Borough Solicitor and Monitoring Officer** - Sara Freckleton
Solicitor One Legal – Sarah Farooqi
Democratic Services Manager – Rosalind Reeves

(2.30 pm – 4.05pm)

1.	APOLOGIES
	Parish Councillor Barrie Lewis
	The Chair welcomed Councillor Rawson and Councillor Macdonald to the committee.
2.	DECLARATIONS OF INTEREST
	None declared.
3.	MINUTES
	Resolved: that the minutes of the meeting held on 12 March 2010 be approved and signed as a true record.
	Under matters arising, the chair suggested that the guides listed on page 7 of Bulletin 47 were self explanatory and it was agreed that they did not need further discussion.
4.	NOMINATION OF A NEW PARISH COUNCIL REPRESENTATIVE TO THE COMMITTEE
	The Borough Solicitor and Monitoring Officer advised that the four-year term of Parish Councillor Stuart Fowler had come to an end in March 2010 and therefore the C5 Parish Councillor group had been approached to nominate a new parish council representative to the committee. C5 had met earlier that week and had nominated Parish Councillor David Iliffe.
	The chair welcomed Parish Councillor David Iliffe who was in attendance at the meeting as a member of the public.
	In response to a question from a member, the Borough Solicitor and Monitoring Officer advised that whilst there was no statutory prohibition against a Parish Councillor serving for more than four years on the Standards Committee, it appeared that the Council's practice was to seek a new parish council representative when their four-year term came to an end. This practice could be reviewed once the future of the Standards regime is known.
	Resolved that:
	i) It be recommended to Council that Parish Councillor David Iliffe be appointed to the Standards Committee for a four-year term
	ii) The committee's appreciation of the contribution of Parish Councillor Stuart Fowler to the committee during his term of office be noted and their thanks expressed to him.

5.	MEMBERS REPORTS ON ATTENDANCE AT COUNCIL, COMMITTEE AND PARISH COUNCIL MEETINGS AND OTHER MEETINGS ARISING
	<p>Jon Leamon reported his attendance at a meeting of Leckhampton with Warden Hill and Parish Council. The chair advised that he had attended council on 29 March 2010 to present the annual report. Duncan Chittenden had attended the June council meeting and he raised some concerns about disputes regarding information during some of the debates and how this might appear to the public. He questioned whether these matters should be resolved before they were debated in Council. In response another member thought that the political debate and challenge was a feature of council meetings. The Borough Solicitor and Monitoring Officer noted the feedback and agreed to consider it as part of the Review of the Constitution she was currently working on.</p> <p>Members asked for clarification on the policy for members of the Standards Committee attending parish council meetings and the Borough Solicitor and Monitoring Officer agreed to review this and bring back a report to the committee at a later date</p>
6.	UPDATE ON LATEST BULLETINS AND CASES AND COMPLAINTS
	<p>It was noted that no new bulletins had been issued since the last meeting and the Annual Conference in Birmingham had been cancelled.</p> <p>A statement from the Standards for England had been circulated with the agenda regarding the Government's planned Decentralisation and Localism Bill which would include a proposal to "abolish the standards board regime". The Borough Solicitor and Monitoring Officer advised that she had no further update to give members and there was no more information available on timescales. She confirmed that the legal framework for dealing with complaints was still in place and therefore standards committees must continue to operate this at a local level.</p> <p>Members expressed concerns about the proposed abolition and the lack of information about what would replace it. The Borough Solicitor and Monitoring Officer hoped that there would be consultation at a local level where members could express their views.</p>
7.	PROTOCOL FOR MEMBER/OFFICER RELATIONS
	<p>The Borough Solicitor and Monitoring Officer introduced her report which had been circulated with the agenda. The report explained that Council had approved the recommendations made by a member working group. One of the approved actions was to "request the Standards Committee to review the Protocol for Member/Officer Relations to ensure that it reflects best practice" and the due date for this review by the Standards Committee was September 2010. She indicated that review of the Protocol would be carried out in parallel with a review of the Council's Constitution which was being conducted by a new working group of members which had been set up for this purpose and appointed by the Staff and Support Services Committee.</p> <p>In order to facilitate this deadline, she requested that members consider bringing forward their scheduled October meeting of the Standards Committee to September.</p> <p>Resolved that:</p> <ul style="list-style-type: none"> i) The process set out in paragraph 4.4 of the report in order to review the Council's Protocol for Member/Officer Relations be adopted ii) The date of the next meeting of the Standards Committee be rescheduled

	to Friday 17 September at 2:30 p.m.
8.	REVIEW OF PROGRESS AGAINST WORK PLAN
	<p>The Borough Solicitor and Monitoring Officer updated members on progress against the workplan. She highlighted that a number of items in the plan were on hold awaiting clarification on the future of the Standards regime following the proposed abolition of Standards or England. These included the proposed Standards Committee Forum with Tewkesbury Borough Council, the ethical health check and possible joint arrangements. The review of the Code of Conduct for employees had arisen as a result of a further recommendation arising from the Review Working Group report and was due to be completed by December 2010 and not September. She advised that the review would be led by the Assistant Director Human Resources and Organisational Development and that it was intended to bring a report to the Committee in September.</p> <p>She agreed to add an item regarding reviewing the Standards Committee members' attendance at Parish Council and Borough Council meetings with a target date of March 2011.</p>
9.	LOCAL GOVERNMENT ACT 1972 – EXEMPT INFORMATION
	<p>The Committee approved the following resolution:</p> <p>“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 7C, Part 1, Schedule 12A (as amended) Local Government Act 1972, namely:</p> <p>Paragraph 7C Information presented to a Standards Committee, or to a sub-committee of a Standards Committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000</p>
10.	CONSIDERATION OF A REPORT OF INVESTIGATING OFFICER
	<p>The Committee considered a report following an investigation into an alleged breach of conduct.</p> <p>The Committee invited the Investigating Officer to comment upon her report and questions were asked by members of the Committee upon matters arising from the report. The Committee agreed with the Investigating Officer's findings that in this particular case no breach of the code had occurred.</p> <p>Consequently, it was agreed that no further action was required.</p>
10.	ANY OTHER BUSINESS
	<p>The chair informed members of a compact toolkit that had been made available on the Standards for England website on 24 June. It may be useful for members to have a look at it.</p> <p>It was agreed that a summary of the status of complaints would be brought to the next meeting. The Borough Solicitor advised that any discussion may need to be held in exempt session.</p>

	The Democratic Services Manager advised that the implementation of the new committee minutes system had been delayed. She confirmed that the standards committee pages on the web site would be updated once the new system was in place.
11.	DATE OF NEXT MEETING
	The date of the next ordinary meeting of this Committee was Friday 17 September 2010 at 2.30 pm and this would replace the October meeting. Councillor MacDonald gave his apologies.

Simon Lainé
Chair of Standards Committee