

EAST HERTS COUNCIL

STANDARDS COMMITTEE – 29 JUNE 2012

REPORT BY HEAD OF DEMOCRATIC AND LEGAL SUPPORT SERVICES

COUNCIL DETERMINATION ON NEW STANDARDS REGIME

WARD(S) AFFECTED: All

Purpose/Summary of Report

- To review Council's determination regarding the establishment of a new member code of conduct regime with effect from 1 July 2012.

<u>RECOMMENDATION - that:</u>

1.0 Background

1.1 Council, at its Annual Meeting held on 16 May 2012 considered options put forward by the Standards Committee and the Monitoring Officer for the implementation of the Localism Act as it relates to the new standards regime.

2.0 Report

2.1 Following deliberation, Council agreed that:

(A) a Standards Committee comprising 5 elected Members of the District Council, appointed proportionally, be established;

(B) the Leader of the Council be requested to nominate to the Standards Committee only one Member who is a Member of the Executive;

(C) the Local Government Association's "Template code and guidance note on conduct", as detailed at Essential Reference Paper 'C' of the report now submitted, be adopted;

(D) when the Disclosable Pecuniary Interests Regulations are published, the Monitoring Officer, after consultation with the Leader of the Council, add to that draft Code, provisions which he considers to be appropriate for the registration and disclosure of interests other than Disclosable Pecuniary Interests;

(E) in respect of arrangements for dealing with complaints, the proposals set out in Essential Reference Paper 'E' of the report now submitted, be adopted;

(F) the Council join with other Authorities with a pool of Independent Persons;

(G) the Independent Persons be reimbursed for travel and subsistence expenses;

(H) the Monitoring Officer be requested to prepare and maintain a new register of Members' interests to comply with the requirements of the Act and of the Council's Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;

(I) the Monitoring Officer be requested to ensure that all Members are informed of their duty to register interests;

(J) the Monitoring Officer be requested to prepare and maintain new registers of Member' interests for each Parish Council and any Code of Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act;

(K) the Monitoring Officer be requested to arrange to inform and train Parish Clerks plus one or two Members from each Parish/Town Council on the new registration arrangements;

(L) the Monitoring Officer be instructed to recommend to Council a Standing Order which equated to the current Code of Conduct requirement that a Member must withdraw from the meeting room, including from the public gallery, during the while of consideration of any item of business in which he/she has a Disclosable Pecuniary Interest, except where he is permitted to remain as a result of the grant of a dispensation;

(M) the Monitoring Officer be instructed to recommend to

Council a Standing Order which equates to the current Code of Conduct requirement that where a decision is to be made by a single Member, the decision will be referred to the Executive if he/she has a Disclosable Pecuniary Interest, except where he is permitted to remain as a result of the grant of a dispensation;

(N) the power to grant dispensations be delegated:

(i) on Grounds set out in paragraphs 11.2 (a) and 11.2 (d) of the report now submitted, to the Monitoring Officer with an appeal to Standards Committee; and

(ii) on Grounds set out in paragraphs 11.2 (b), 11.2 (c), 11.2 (e) of the report now submitted, to the Standards Committee after consultation with the Independent Person.

2.2 **Appendix 1** attached comprises the documents considered by Council.

2.3 The Committee Chairman, Mr T Vickers, has requested that the (old) Standards Committee be given an opportunity to review the new standards regime arrangements.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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