

MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE HELD IN
ROOM 27, WALLFIELDS, HERTFORD
ON WEDNESDAY, 6 FEBRUARY 2008
AT 4.00 PM

PRESENT: District Council Members

Councillor J Warren (Chairman).
Councillor M Wood.

Town Councils' Representative

Mrs E Woods

Parish Councils' Representative

Mr B Taylor

Independent Members

Mr J Morphew
Mr A Walker

ALSO IN ATTENDANCE:

Councillor P A Ruffles

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services (and Monitoring Officer)
Jeff Hughes	- Head of Democratic and Legal Support Services

519 APOLOGIES

An apology for absence was submitted on behalf of
Councillor N C Poulton.

520 CHAIRMAN'S ANNOUNCEMENT

The Chairman reported his attendance at a recent meeting of the Council's Executive and the circumstance under which he felt it necessary to declare a personal and prejudicial interest in an item under consideration. He invited Members to consider whether or not they would declare an interest in the same circumstance.

RESOLVED ITEMSACTION521 MINUTES

RESOLVED - that the Minutes of the Standards Committee meeting held on 21 November 2007 be confirmed as a correct record and signed by the Chairman.

522 ORDERS AND REGULATIONS RELATING TO CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND – CONSULTATION

The Monitoring Officer submitted a report seeking the Committee's views on the consultation paper entitled "Orders and Regulations relating to the Conduct of Local Authority Members in England" published by the Department for Communities and Local Government (DCLG).

The Consultation Paper contained detailed proposals for putting into effect orders and regulations to provide a revised ethical regime for the conduct of local councillors in England.

The Committee noted that Part 10 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) provided for a revised ethical conduct regime for local government based on the principle of proportionate decision-making on conduct issues by local authorities.

The Monitoring Officer outlined the key areas of the new

regime and highlighted the fact that detailed arrangements needed to be put in place to allow local authority standards committees and the Standards Board to undertake their new roles.

The Committee noted that the detailed arrangements needed to cover:

- the operation of standards committees' powers to make initial assessments of misconduct allegations;
- the operation of other functions by standards committees and the Adjudication Panel in issuing penalties and sanctions;
- the operation of the Standards Board's revised strategic role to provide supervision, support and guidance for the regime, and
- other matters, e.g. the rules on the issue of dispensations, the issue of exemptions of posts from political restrictions and the pay of local authority political assistants.

The Committee further noted the proposals within the consultation paper for how arrangements should operate via appropriate regulations and orders under the 2007 Act.

The Committee noted that the local filter was on course to come into effect in April 2008. The Standards Board was conscious of the need to have the legislation and guidance in place before that date.

The Monitoring Officer advised that, in preparation for the new arrangements, the Standards Board had instigated local filter and joint working pilot schemes. The findings from these pilot schemes were awaited. They would be used to inform the Standards Board's guidance to local authorities.

The DCLG had posed 16 questions within the consultation paper. The Monitoring Officer drew the Committee's attention to the questions and also a paper circulated separately that contained suggested responses.

The Committee supported the suggested responses to the questions as now detailed by the Monitoring Officer.

With regard to question number 6, the Committee felt that a maximum sanction of suspension for up to 9 months should be available for local cases.

With regard to question number 7, the Committee agreed that it was inappropriate to specify the type of standards committee member that could chair bodies discharging the assessment, review and hearing functions. It should be a matter for individual local authorities to determine who should chair these bodies. Accordingly, the Committee felt it would be consistent with robust decision-making if one or more of the "... sub-committee chairs were not independent".

With regard to question number 15, the Committee agreed that it should express no view on the issues identified.

The Monitoring Officer commented on the likely timetable for the introduction of the new regulations etc., and expressed a view that the original target date of 1 April 2008 was unlikely to be achieved.

In response to a question from a Member, the Monitoring Officer stated that there was no specific guidance for standards committee members on how to deal with a hearing involving a complaint against a councillor who may belong to the same political party.

RESOLVED – that the responses now detailed to the questions within the Consultation Paper entitled “Orders and Regulations relating to the Conduct of Local Authority Members in England” be approved and submitted to the DCLG.

MO

The meeting closed at 4.52 pm.

Chairman
Date