

STANDARDS COMMITTEE

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Minutes of the Standards Committee Meeting held on Monday 23rd January 2006 in Committee Rooms A & B, Council Offices, Monkton Park, Chippenham, commencing at 7.00pm

Present:

Independent Members: Mr R. Philpott Chairman
Mr J. Carine Vice-Chairman

Parish/Town Council Representatives: Councillor J. R. Scragg

District Council Members: Councillor J. R. Ireland, G. Offord and C. Reid.

Officers: H. Braid (Policy & Democratic Services Officer) and P. Jeremiah (Legal Services Team Leader)

ST24. Apologies for Absence

Apologies for absence had been received from Councillors P. J. Goldstone and G. Yates.

ST25. Public Question Time / Receipt of Petitions

None.

ST26. Minutes

The Minutes of the meetings of the Standards Committee held on 31st October 2005 and 10th January 2006 were considered.

Resolved that the Minutes of the meetings of the Standards Committee held on 31st October 2005 and 10th January 2006 be confirmed and signed as a correct record.



ST27. Chairman's Announcements

None.

ST28. Declarations of Interests

None.

ST29. Standards of Conduct in English Local Government: The Future

Consideration was given to Report No.6 (circulated with the agenda) which sought the views of the Committee upon the Office of the Deputy Prime Minister (ODPM) document entitled "Standards of Conduct in English Local Government: The Future".

Issues discussed during consideration of this item included:

- The potential resource implications of the Standards Committee becoming more involved in all code of conduct complaints.
- The intention of the Standards Board to move to the local filtering of complaints with new legislation by 2008 and other suggested changes to the Code being enacted from May 2006.
- The possibility of the public perception being that local investigations will result in issues being "swept under the carpet".
- The possibility of partnership working with other local authorities in respect of Standards Board complaints.
- The Standards Board guidance which emphasises the need for experienced Independent Members to assist with the transition to the proposed new arrangements.
- A report will be presented to Council in respect of the period of office of the two Independent Members of the Committee.

Resolved that

- (1) The Standards of Conduct in English Local Government: The Future document be noted.
- (2) That in view of the proposed changes to the ethical standards regime, Council be requested to extend the period of Office of both the Independent Members of the Committee by 12 months.

**ST30. Ethical Standards Officer v Hitchins & Others
Case Tribunal of the Adjudication Panel for England**

Consideration was given to Report No.7 (circulated with the agenda) which sought the Committee's response to questions raised by the Local Government Chronicle following the findings of the Case Tribunal of the Adjudication Panel for England in the matter of the Ethical Standards Officer v Hitchins & Others.

Issues discussed during consideration of this item included:

- The recovery of costs has always been an issue in Standards Board cases, as the Adjudication Panel has no authority to award costs.
- The principle that if someone is found innocent, their reasonable costs should be awarded.
- The management of the case and how it had been allowed to take so long to complete.

Resolved that the following responses be made to the Local Government Chronicle:

- (1) Ms Bailey should be able to recover her reasonable costs from the Standards Board.
- (2) There should be a public apology for Ms Bailey over the time taken by the Standards Board to deal with the case.
- (3) The Standards Committee agrees with the government's announcement in December that most code of conduct cases should be handled locally in future, leaving the Standards Board as a small strategic body.

ST31. A Work Programme for the Standards Committee

Consideration was given to Report No.8 (copy attached) which sought the views of the Committee upon the establishment of a work programme.

Issues discussed during consideration of this item included:

- The work programme should include training for Members in respect of changes to the Code of Conduct and also for all newly elected Members.
- The Audit Commission and the IDeA have developed toolkits to assist local authorities in undertaking ethical governance audits.
- The need to ensure that the Committee does not review issues which are beyond its terms of reference.

Resolved that

- (1) The Standards Committee establish a work programme.
- (2) Authority be delegated to the Monitoring Officer, in consultation with the Chairman of the Committee, to agree the content and timetable of the work programme.

ST32. Standards Committee News 4

Consideration was given to Standards Committee News 4 (circulated with the agenda as Report No.9).

Issues discussed during consideration of this item included:

- The findings of the recent MORI poll which found that 46% of those surveyed would want an independent body to deal with complaints against local Councillors, which was in contrast to recent government proposals for a strengthened role for local Standards Committees.
- The Standards Board DVD “Going Local: Investigations and Hearing” has been received and will be viewed by the Standards Committee at it’s next meeting.

Resolved that Standards Committee News 4 be noted.

Note: The Standards Committee will meet at 6.30pm on 18th April 2006 to watch the Standards Board DVD.

ST33. Standards Board for England Bulletin 26

Consideration was given to the Standards Board for England Bulletin 26 (circulated with the agenda as Report No.10).

Resolved that the Standards Board for England Bulletin 26 be noted.

The meeting started at 7.00pm and concluded at 7.30pm.

There were no members of the public present.

Signed:

Dated: