

## **Standards Committee – 7 April 2011**

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Minutes of the meeting of the **Standards Committee** held on **7 April 2011** when there were present:-

### **DISTRICT MEMBERS**

Cllr C I Black

### **INDEPENDENT MEMBERS**

Chairman: Mr D J Cottis

Mr M G Drage

Mr S Shadbolt

Mrs L Walker

### **PARISH MEMBERS**

Cllr P Beckers

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from District Cllrs P A Capon, Mrs H L A Glynn, D Merrick and Mrs C A Weston and Parish Cllrs Mrs D Constable and Mrs L A Vingoe.

### **OFFICERS PRESENT**

A Bugeja - Head of Legal, Estates and Member Services

M Power - Committee Administrator

## **99 MINUTES**

The Minutes of the meeting held on 7 October 2010 were agreed as a correct record and signed by the Chairman.

### Matters arising

In 2008 dispensation was granted to Members of Barling Magna Parish Council, which allowed them to take a decision on an extension to Barling Village Hall in circumstances where a potential prejudicial interest arose as all Members of the Parish Council are Trustees of the Hall. This dispensation was renewed last year and is due to expire next month. The Head of Legal, Estates and Member Services had been in contact with the Barling Magna Parish Clerk, who had confirmed that the works at the Hall are ongoing and who had requested that a further dispensation be granted to provide the Parish Council with time to complete the works.

### Resolved

That the dispensation granted to Barling Magna Parish Council to allow decisions to be taken by its Members on all matters concerning modernisation to Barling Village Hall be extended for a further year until 31 May 2012. (HLEMS)

### 100 LOCALISM BILL – RELATING TO ETHICAL FRAMEWORK AND CODE OF CONDUCT

The Committee considered the report of the Head of Legal, Estates and Member Services, which provided details of the provisions in the Localism Bill with regard to the Standards regime and the ethical governance framework.

Members were advised that, under the provisions of the Bill, Councils would no longer be required to have a Code of Conduct and that criminal sanctions under common law would be available in instances where the behaviour of a Councillor is deemed to be a criminal offence. If a Code were to be introduced sanctions available to the Council would be reduced but criminal sanctions would also be applicable. Any Code of Conduct adopted by the Council would be binding on all Members of the Council.

Members felt that, although a Code of Conduct may be voluntary under the proposals, it would be useful to retain a framework, particularly in terms of setting out and maintaining high standards.

Concern was expressed as to there potentially being no Code of Conduct framework for Parish/Town Councils, which was currently subject to regulation through Councils' Standards Committees.

In response to a question the Committee was advised that, although the option of combining the Standards and Audit Committees had been considered by Members, it had been concluded that at present the two Committees would remain separate, as was currently the case. Members felt that there is a great value in having Independent and Parish Members on the Standards Committee in terms of transparency and impartiality. The programme of Member Learning and Development, which had been developed by the Committee, had been a great success.

Although it was appreciated that it was the Council's decision whether it retains a Code of Conduct, the view of the Committee was that retaining a form of the Code of Conduct would be valuable as the worth of the existing Code had been proven. It was felt that it would be of value for the Independent and Parish Members of the Standards Committee to be included in work on Code development.

### Recommended to Council:-

That, subject to the legislation being enacted, a Local Code of Conduct (based on the current Code), together with procedures for dealing with

complaints, be developed for adoption; the Independent and Parish Members of the Standards Committee to be included in the work on development. (HLEMS)

**101 MEMBER LEARNING AND DEVELOPMENT 2011/12**

The Committee considered the report of the Head of Legal, Estates and Member Services on the proposals for the Member Learning and Development Programme for 2011/12.

It was requested that a course dealing with the use as well as potential dangers and pitfalls of Social Media, such as Face Book and Twitter, be included in the second part of the learning and development programme. It was felt that the introduction of mandatory training for Planning, Licensing and Appeals Committee Members had been instrumental in helping further to equip Members to perform their role to a high standard. It was noted that, having achieved the Charter for Elected Member Development, there is now an enhanced incentive to continue to maintain the high standard of development courses.

**Resolved**

- (1) That the summary of Members' attendance at training sessions during the Municipal Year 2010/11 as set out in paragraphs 2.1 to 2.5 of the report be received.
- (2) That the proposals for the Member Learning & Development Programme for 2011/12, as set out in paragraphs 4.1 to 4.19, be endorsed. (HLEMS)

The meeting closed at 8.25 pm.

Chairman .....

Date .....

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