



<u>Committee and date</u>
Standards Committee
20 July 2011

<u>Item</u>
5
Public

**MINUTES OF THE STANDARDS COMMITTEE HELD ON WEDNESDAY,
26 JANUARY 2011 AT 4.00 P.M.**

Responsible Officer Richard Thomas
Email: richard.thomas@shropshire.gov.uk Telephone: (01743) 252725

Present:

Independent Members:

Mrs J Clarke (Chairman), Mr T Griffiths, Mr D S McLaren (Vice-Chairman),
Mr W Maddocks, Mr P Moore, Mr G J Parry, Mr M Salt and Mr J Till

Unitary Councillors:

Mr M Bennett, Mrs P Dee, Mr R A Evans, Mr V J Hunt, Dr J E Jones and
Mr C Mellings

Parish/Town Councillors:

Mrs B Carlyle, Professor P Collins, OBE, Mrs A Dugdale, Mrs E M Francis,
Mrs R Griffiths and Mr R P Bentley

18. APOLOGIES

Apologies for absence were received from the Monitoring Officer, Claire Porter.

19. DECLARATIONS OF INTEREST

No declarations of interest were made.

20. MINUTES

RESOLVED:

That the minutes of the meeting held on 1 July 2010, as circulated, be approved and signed by the Chairman as a correct record.

21. PUBLIC QUESTIONS

The Chairman reported that no public questions had been received in accordance with Procedural Rule 14 before the deadline.

22. FUTURE OF THE LOCAL STANDARDS FRAMEWORK

Detailed consideration was given to the Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes. The Deputy Monitoring Officer, explained that members were being invited to consider the effect of the Government's intention to abolish the Standards Board regime through the Localism Bill which had been introduced to Parliament on 13 December 2010.

The Government's current proposals would have the effect of removing the National Code of Conduct for councillors, as well as the requirement for principal councils to have a Standards Committee. They would also permit councils to determine whether or not to have a local code of conduct and/or a Standards Committee.

He added that, while the proposals included abolishing Standards for England and the removal of its jurisdiction over member conduct, a duty would remain for principal councils to promote and maintain high standards of member conduct. In addition a criminal offence of failing to register or declare a financial interest would be created. Members noted that the revocation of the National Code of Conduct would require principal councils to decide whether to revise their own existing code, adopt a new, modified code, or withdraw the existing code without replacing it. It was felt unlikely that Town/Parish Councils would adopt a Code of Conduct.

Several members expressed their concern at the loss of some of the key features of the National Standards regime, including those elements relating to the operation of parish/town councils. All members supported the retention of a local Code of Conduct, together with a Standards Committee. It was also felt essential for that body to include independent members, if the public's perception of openness and accountability in conduct and ethical matters was to be maintained.

Concern was expressed that the focus within the proposed regime appeared to be on financial rather than general conduct issues, which formed a significant proportion of the complaints received at present. Overall it was felt important that officers should not be asked to filter complaints, certainly not without member involvement and that members should continue to judge members. It was felt peer pressure was very important in controlling the member behaviour.

Attention was also drawn to the need to provide a forum where the public could refer their concerns over member conduct and, whilst not seeking

formal redress, ensure that councillors were able to be held accountable to the public for their actions. There was also concern as to where Parish Clerks would go to obtain their advice.

Summarising the debate, the Chair stated that from experiences of the past it was felt there was a need for a regulatory framework and a Members' Code of Conduct albeit in a less cumbersome form than at present, to protect both councillors and the public. It was difficult to envisage how parish councils would operate in future without such a structure and the support of a Monitoring Officer. Further, the significant investment and training which had been provided since 2001 would be lost and with it the improvement in councillors' understanding of conduct issues. The function also provided reassurance to the public and also to councillors that issues would be dealt with in an open and transparent manner.

She urged Shropshire Council, to retain a Standards Committee and emphasised the importance of the role of independent members in terms of public perception. The Chair concluded by adding that the Committee would be pleased to see and, indeed, participate in any working party formed to consider what alternative could replace the current arrangements.

There was a consensus that this summary fairly reflected the tone of the debate and the views of all present.

RESOLVED:

That the recommendations contained within the report be agreed.

23. TRAINING FOR PARISH/TOWN COUNCILLORS 2010

Consideration was given to the Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes. The Deputy Monitoring Officer reported on progress prior to the announcement of the Government's intention to abolish the current Standards Board regime.

Responding to questions from members, he stated that training had been generally well received. Those attending had been receptive and given positive feedback on the sessions. However, matters were now on hold pending a further announcement on what would replace the current arrangements.

RESOLVED:

That the report be noted.

24. APPLICATIONS FOR DISPENSATION

The Committee considered the applications received from the twin-hatted members of Shrewsbury Town Council, copies of which are attached to the

signed minutes. These related to personal and prejudicial interests arising out of their membership of Shropshire Council when matters relating to the transfer of functions and responsibilities were under consideration.

RESOLVED:

- (a) That dispensations be granted to town councillors, Adams, Mrs Chebsey, Durnell, Mrs Jones, Kenny, Mosley, Nutting, Price, Roberts and Tandy in respect of personal and prejudicial interests arising of their membership of Shropshire Council when matters relating to the transfer of functions and responsibilities from Shropshire Council to the Town Council are discussed at meetings of:
- the Town Council; and
 - Committees of the Town Council where more than 50% of the membership of such committee consists of town councillors who are also Shropshire councillors
- (b) That the dispensations granted in (a) above, last for a period of four years, or until the abolition of the Standards regime, whichever is the sooner.

25. OTHER ACTION

Detailed consideration was given to the Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes.

Members were informed of the individual circumstances relating to three specific cases involving members of Whitchurch Rural Parish Council, Church Stretton Council and Hordley Parish Council.

RESOLVED:

- (a) That the other action taken by the Monitoring Officer be noted.

26. COMPLAINTS ABOUT MEMBER CONDUCT

The Deputy Monitoring Officer gave an oral report on this subject and presented additional information on each individual case for members' information.

RESOLVED:

That the report be noted.

27. NEXT MEETING

The Committee noted that the next meeting would be held on Wednesday, 27 April 2011.

CHAIRMAN

DATE