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STANDARDS COMMITTEE

Wednesday, 26 January 2011

<u>Present:</u>	Brian Cummings (Chair)	
	Councillors	C Blakeley A Bridson WJ Davies
		AER Jones R Wilkins P Williams
<u>Deputies</u>	Councillors	A Pritchard (In place of K Hayes) M McLaughlin (In place of C Meaden) S Mountney (In place of L Rowlands)
<u>Independent Members</u>		Stella Elliott
<u>Apologies</u>	Councillors	Ken Harrison Alex Nuttall

22 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Councillor A Jones declared a personal interest in respect of minute 28 (Freedom of Information Requests) by virtue of him currently pursuing a freedom of information request.

23 MINUTES

The Director of Law, HR and Asset Management, submitted the minutes of the meeting held on 2 December, 2010.

Resolved - That the minutes be received.

24 STANDARDS FRAMEWORK - IMPLICATION OF THE LOCALISM BILL

The Head of Legal and Member Services presented the report of the Director of Law HR and Asset Management summarising the main provisions of The Localism Bill and the implications for the Standards Committee. The Bill set out the government's proposals to devolve greater power and freedoms to councils and neighbourhoods, establish powerful new rights for communities, revolutionise the planning system, and give communities control over housing decisions. The reforms covered four broad areas:

- Strengthening local democracy;
- Community empowerment;
- Reform of the planning system; and
- Social housing reform.

The report focused on the proposed legislation that will affect the Standards Regime, particularly the implications to the Members' Code of Conduct, Members Interests and Standards Committees.

Appendix 1 included a Briefing Note detailing the key implications of the Localism Bill on the Standards Regime.

Appendix 2 included, for information, a letter from the Local Government Minister, Bob Neill MP and a letter from the Chair of Standards for England, Dr Robert Chilton, to the Chairs of Standards Committees concerning the proposal to abolish Standards for England.

The Head of Legal and Member Services reported that he would electronically circulate updates (when there were matters of significance and importance to report) to all Members of the Council on the progress of the Localism Bill.

Resolved - That the Standards Committee note the Briefing Note set out at Appendix 1 detailing the potential implications of the Localism Bill (as at the date of this report) on the current standards regime.

25 **USE OF RECORDING MEDIA AT MEETINGS**

Further to minute 11 (29/9/2011) the Director of Law HR and Asset Management submitted a report which set out the current practices of neighbouring Councils in respect of recording meetings (Appendix A), and proposed a Standing Order and/or a Protocol on the use of recording media in Council buildings, during Council meetings (Appendix B). It also recommended that decisions on recording media other than during meetings should be delegated to the Chief Executive in consultation with Group Leaders to be determined based on the merits of the request and that there would be no filming/recording/photography at any time in Council buildings if a request had not been made and permission given.

Councillor Blakeley expressed his concern regarding the time that had been taken to deal with this matter which had originated from his complaint concerning the actions of an individual councillor.

Members discussed the issues raised in the Director's report but in the interests of openness and transparency it was decided that no further restrictions would be placed on the use of recording media in Council buildings.

Resolved – That the report be noted and that no further action be taken regarding this matter.

26 **REPORT AND PRESENTATION - FREEDOM OF INFORMATION(FOI) REQUESTS**

Further to minute 16 (2/12/2011) Jane Corrin, Information Manager, presented a report including a breakdown of Freedom of Information (FOI) requests that were received in 2009/10, figures from neighbouring Local Authorities, and analysis of the FOI requests, which were recorded in a central register. She responded to questions from members concerning:

- the legislation and definition of FOI requests;
- the mechanism for making requests (95% were received by email);
- the breakdown of requests received in 2009/10 and trends in terms of the increase in requests relating to highway maintenance and environmental complaints;
- the cost of facilitating requests and the methodology for itemising costs;
- further benchmarking with public bodies to include the Joint Boards;
- requests for information concerning third parties;
- the possibility of charging for the more detailed requests

Resolved –

- (1) That the report be noted.
- (2) That Jane Corrin be thanked for her presentation.

27 **CHAIR'S DISCUSSION PAPER - RESPONSE FROM POLITICAL GROUPS**

Further to minute (21/6/2010) the Chair submitted his paper setting out a number of issues for discussion with a view to improving the effectiveness of this committee in promoting standards and higher values as an integral part of all council activities.

Resolved - That the report be noted.

28 **NEW PROCEDURE FOR STANDARDS COMPLAINTS**

The Head of Legal and Member Services presented the report of the Director of Law, HR and Asset Management seeking approval to a local protocol on local assessment and investigation of allegations of misconduct by members. The aim of the local protocol was to improve the manner in which such allegations and complaints are handled and processed.

Members of the Committee expressed concern that delays in dealing with standards complaints were unacceptable for all the parties concerned. Members were of the view that the timescales within the protocol were not sufficiently clear and there was a need for 'non-complex' complaints to be dealt with within 6 months of receipt of the complaint.

Members further questioned, notwithstanding any amendments required, whether the protocol should be deferred whilst clarity on the implications of the Localism Bill is provided.

Members also suggested that officers should also explore possible collaborative working arrangements concerning standards matters with neighbouring Councils.

Resolved - That: this matter be deferred for a further report to a future meeting of the Committee in order that amendments to the protocol can be made to address (i) the need for greater clarity on timescales, (ii) the implications of the Localism Bill and (iii) if possible, any collaborative working arrangements with neighbouring Councils.