

## **STANDARDS COMMITTEE**

Thursday, 8<sup>th</sup> March, 2012 at 6.00 p.m.  
In Committee Room 4, The Council House, Dudley

### **PRESENT:-**

The Bishop of Dudley (Independent Chairman)

Councillors Ahmed, Burston, Hanif, Kettle, Mrs Martin and Ms Partridge.

### **Officers:-**

The Director of Corporate Resources and Mr J Jablonski (Directorate of Corporate Resources).

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21      **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Mrs V Ainsworth and Father A Williams.

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22      **DECLARATIONS OF INTEREST**

No member made a declaration of interest, in accordance with the Members' Code of Conduct, in respect of any matter to be considered at this meeting.

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23      **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 16th January, 2012, be approved as a correct record and signed.

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24      **LOCALISM ACT, 2011 – THE AMENDED STANDARDS REGIME**

A report of the Monitoring Officer was submitted updating the Committee on changes to the standards regime as contained in the Localism Act, 2011.

In his presentation of the content of the report submitted the Monitoring Officer informed the Committee that detailed Regulations and Guidance were still awaited on key aspects of the new standards regime. There were also areas where clarification had been sought, such as the disqualification of existing Standards Committee Members from becoming "Independent Person(s)" under the new regime and the sanctions that might be available to Local Authorities in the event that Members breach the future local Code of Conduct.

Consideration was then given by the Monitoring Officer to the following issues:-

- (a) The revised arrangements from 1<sup>st</sup> July, 2012 when there would no longer be a statutory obligation to establish a Standards Committee. Consideration of this, together with other Committee arrangements, was to be considered at a meeting of the cross party member working group that had been established and it was noted that of the three Labour Group representatives Councillor Hanif, a member of this Committee, would be a member of that working group, together with Councillors Sparks and Mrs Ridley.

One possible arrangement could be to include the remaining standards functions with those of the Audit Committee.

- (b) Regarding the sanctions that could be applied to Members breaching the future local Code of Conduct, it was reported, from advice received, that these could range from a formal letter, censure, in the form of a warning as to future conduct, a recommendation to the Member's political group recommending removal from a particular committee or committees and the issuing of a press release or publicity on the matter.
- (c) Regarding the new category of "Independent Person(s)" the most recent advice from the Department for Committees and Local Government implied that the existing Independent Members of the Standards Committee would not be eligible for appointment as the Independent Person(s) after 1<sup>st</sup> July, 2012 and therefore their current appointments would cease at 30<sup>th</sup> June, 2012. The Council would need to comply with the requirements of the Localism Act, 2011 concerning advertising for the Independent Person(s) by inviting applications and gaining approval from full Council to the new appointment(s).

The Monitoring Officer also reported on the role of the new Independent Person(s) in that s/he would be consulted by him on his view as to whether a Member had or had not breached the new Code of Conduct. The Member complained of could also consult an independent person and therefore in view of this it was considered that either two or three such persons would be required. Unlike the current arrangements an Independent Person(s) would not sit on the new Committee having standards functions.

- It was also considered that there was a possibility that within the Black Country there could be a sharing of Independent Person(s).

- (d) Regulations and guidance were still awaited on the registration and disclosure of “disclosable pecuniary interests” and other Pecuniary and Non-Pecuniary interests before the new local Code of Conduct could be drafted. Once these elements were in place training would be arranged for elected members in the summer of 2012 on the new local Code of Conduct and its implications.

Arising from consideration of the above points members commented on the points made with particular reference as to where the remaining standards functions could be located and in conjunction with this how the consideration of appeals arising from a breach of the new local Code of Conduct would be dealt with. Regarding the sanctions to be applied it was considered that the main sanction was that of adverse publicity and, in the light of comments made by Government Ministers, ultimately through the ballot box.

At the conclusion of comments, and as this was the last scheduled meeting of the Standards Committee under the current arrangements, the Chairman thanked those members with whom he had worked over the years on the Committee for the work that had been undertaken and members responded by thanking the Chairman referring to his abilities in carrying out the role of Independent Chairman of the Committee.

#### RESOLVED

That the information contained in the report submitted, and as reported at the meeting, on the changes to the standards regime as contained in the Localism Act, 2011, be noted and that, subject to the receipt of further Regulations and Guidance, the Monitoring Officer make all necessary arrangements to implement the provisions of the new standards regime as required by the Localism Act, 2011.

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The meeting ended at 6.50 p.m.

CHAIRMAN