

STANDARDS COMMITTEE

Thursday, 22nd June, 2006 at 5.30 p.m.
in Committee Room 1 at the Council House, Dudley

PRESENT:-

The Bishop of Dudley (Independent Chairman)
Councillors Male, Mrs. Martin, Simms, Tomkinson and Tyler; Miss L. Smith

OFFICERS

The Director of Law and Property, Assistant Director (Legal and Democratic Services), General Manager, Planning and Development (Directorate of the Urban Environment) and Mr. J Jablonski (Directorate of Law and Property)

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Ms. Craigie, Mrs. Dunn, Fraser-Macnamara and Ms. Partridge

2 APPOINTMENT OF SUSBSTITUTE MEMBERS

It was noted that Councillors Mrs. Martin, Simms and Tomkinson had been appointed as substitute members for Councillors Fraser-Macnamara, Mrs. Dunn and Ms. Partridge, respectively for this meeting of the Committee only.

3 WELCOME TO NEW MEMBER

The Chairman welcomed Miss Smith, an Independent Member, to her first meeting of the Committee.

4 DECLARATIONS OF INTEREST

Councillor Tyler declared personal interests, in accordance with the Members' Code of Conduct in respect of paragraphs 5(g), (h) and (i) of Agenda Item No. 6 - Annual Report : Members' Code of Conduct - in that he was the complainant in the first two paragraphs mentioned and was the Member complained about in the latter paragraph mentioned.

MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on the 27th March, 2006, be approved as a correct record and signed.

MEMBERS' PLANNING CODE OF GOOD PRACTICE

A joint report of the Director of Law and Property and the Director of the Urban Environment was submitted on a draft Members' Planning Code of Good Practice.

Attached, as Appendix 1 to the report submitted, was a copy of the draft Members' Planning Code of Good Practice, which had subsequently been updated and copies circulated to Members in the light of discussions held regarding the position of Members who act as an agent for a planning applicant; Ward Members who wished to speak about an application at a meeting of the Development Control Committee and a more specific requirement for objectors or Ward Members to notify the Council in advance if they wished to speak at the Development Control Committee. The updated draft highlighted proposals in respect of these issues.

In introducing the report, the Director of Law and Property commented on the draft Code, as updated and in so doing requested a further update to the Appendix to the draft Code in respect of Public Speaking at Development Control Committee by the insertion of the words "including a Ward Member" in the third line of the second paragraph of paragraph 2(2) after the word "objector".

During the consideration of this matter, Members endorsed the view outlined in paragraph 5 of the joint report submitted that the draft Code should not permit Members of the Development Control Committee to speak on a planning application in their capacity as Ward Member as it would create a perception of bias if a Member temporarily stepped down as a decision maker on the Committee to speak as a Ward Member on a particular application.

RESOLVED

That approval be given to the content of the draft Members' Planning Code of Good Practice, as subsequently circulated to Members of the Committee, and as updated at the meeting, and that the Council be recommended to adopt the Members' Planning Code of Good Practice, as part of the Constitution to replace the existing Code of Practice.

ANNUAL REPORT: MEMBERS' CODE OF CONDUCT

A report of the Monitoring Officer was submitted on the Annual Report of the operation of Members' Code of Conduct.

In introducing the report the Monitoring Officer informed the Committee that the final Corporate Assessment Report of the Council by the Audit Commission as part of the Comprehensive Performance Assessment was still awaited and, as it was understood that this report had some comments regarding the work of the Committee, any such comments would be reported to a future meeting of the Committee.

Regarding the content of the Annual Report, it was noted that, although the ten referrals to the Standards Board was a sharp increase on the two referrals summarised in last year's Annual Report, only two complaints were investigated and that, although a breach of the Code was found in both cases, no further action was required because they were deemed to be relatively minor infringements. Of the complaints made, seven were made by members of the public and three were made by members of the Council which would seem to indicate that there was a greater public awareness of the Code and the role of the Standards Board.

Regarding the proposed action points for 2006/07 it was noted that if, as expected, the Code of Conduct was reviewed by the Government within the next twelve months, this would be reported to the Committee and the Council and that it would be necessary to provide briefing sessions for all members.

RESOLVED

That the Council be recommended to approve the content of the Annual Report of the Monitoring Officer on the operation of the Members' Code of Conduct, and the action points set out in paragraphs 21 to 23, as now submitted.

STANDARDS BOARD CONFERENCE – INTERNATIONAL CONVENTION CENTRE, BIRMINGHAM

The Monitoring Officer referred to details he had received regarding the Standards Board Conference to be held at the International Convention Centre, Birmingham, on the 16th and 17th October, 2006. Expressions of interest from members were invited for submission to the Monitoring Officer so that consideration could be given to the sending of a member to the conference.

The meeting ended at 6.20 p.m.

CHAIRMAN