

Standards Committee – 10th January, 2011

Report of the Monitoring Officer

Future of the Local Standards Framework

Purpose of Report

1. To update the Committee on the progress concerning the Government's intention to abolish the Standards Board Regime.

Background

2. The Government set out its intention to abolish the 'Standards Board Regime' in the coalition agreement published in May, 2010. It is the Government's intention to effect the abolition through the Decentralisation and Localism Bill, laid before Parliament in December 2010. It is likely that Standards for England will cease to investigate complaints in late 2011 and will be formally abolished in early 2012.
3. Ahead of the legislation, Standards for England has received a letter from the Local Government Minister setting out the Government's proposition in more detail. The Minister's letter is set out in Appendix 1. The Government's proposals are also available on the Department for Communities and Local Government website at the following link:
www.communities.gov.uk/publications/localgovernment/standardsboard
4. In brief summary, the Government's proposals are:
 - To abolish Standards for England;
 - To remove the First-tier Tribunal's (Local Government Standards in England) jurisdiction over Member conduct;
 - To remove the National Code of Conduct for Councillors and the requirement to have a Standards Committee;
 - To allow Councils to choose whether or not they wish to have a local code or a Standards Committee;
 - To create a criminal offence relating to failure to register or declare interests.
5. The Minister's letter also sets out the transition arrangements that the Government intends to apply to any cases which have not been concluded when the framework ceases to operate.

6. The Chairman of Standards for England has written to Standards Committee Chairmen to inform them of the content of the Minister's letter. This letter is attached at Appendix 2.
7. I will give further consideration, at the appropriate time, to the required transitional arrangements. The Council's future governance arrangements will also have to be considered in the light of the implications of the Decentralisation and Localism Bill and other relevant considerations. Further reports will be submitted to the Cabinet and the Council as necessary in due course.

Finance

8. There are no immediate financial implications pending further consideration the future governance arrangements in Dudley.

Law

9. The provisions of the Local Government Act 2000 and the Standards Committee (England) Regulations 2008 will remain in force until such time as proposals in the Decentralisation and Localism Bill are enacted.

Equality Impact

10. This report complies with the Council's policies on equality and diversity. It is a significant requirement of the existing Code that Members do not discriminate against people on the grounds of race, gender, disability, religion or belief, sexual orientation and age.
11. There are no particular issues arising from this report with regard to children and young persons.

Recommendation

12. That the report be noted.



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List of Background Papers

Letters attached