

## **Standards Committee**

### **Minutes of the meeting held on 16 January 2012**

Present: Independent Co-opted Members: Mr J Snadden – in the Chair - Mrs E Carmichael, Mrs A Isles

City Councillors: Burns, Evans, O'Callaghan, Sandiford, Shaw Trotman and Whitmore

Ringway Parish Councillors: C O'Donovan

#### **ST/12/01      Minutes**

##### **Decision**

To approve the minutes of the committee meeting held on 21 November 2011 as a correct record.

#### **ST/12/02      New Standards Regime Under the Localism Act 2011**

At the last meeting the Committee had considered amendments to the Localism Bill before it had received Royal Assent (Minute ST/11/09). A report submitted by the City Solicitor provided an update on the timetable for implementation of the new standards regime as now required by the Localism Act 2011.

The report reminded us of the changes to the standards regime brought about by the Act. They included the abolition of much of the current regime, such as:

- the mandatory Model Code of Conduct for members of local authorities;
- the mandatory requirement for Standards Committees of local authorities
- the Standards Board for England; and
- the jurisdiction of the First Tier Tribunal in relation to local government standards in England.

They also included new provisions.

- The Council and Ringway Parish Council must adopt a code of conduct dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity, this code to include the provision the authority considers appropriate in respect of the registration in its register, and disclosure, of pecuniary interests and interests other than pecuniary interests.
- The requirement for the Council to have a register where such interests can be recorded.
- The requirement for the Council to have in place arrangements for the investigation of written allegations that a member has failed to comply with the relevant code of conduct, and arrangements under which decisions on such allegations can be made. The arrangements for the investigation of allegations must include the appointment by the Council of at least one "independent person".

- The creation of a series of new criminal offences where a member fails to comply with their obligations in relation to the registration and disclosure of disclosable pecuniary interests.

Recent communications between the Government and the Association of Council Secretaries and Solicitors had revealed that this new regime was expected to come into force on 1 July 2012. Regulations on disclosable interests had yet to be published and they were anticipated for March 2012. It would be difficult for councils to adopt a new code of conduct until after those regulations had been published. A commencement date of July was likely to require the Council to resolve the arrangements for the new regime at its annual meeting in May 2012.

The Committee discussed the decisions and resolutions that the Council would need make to be ready for the new regime in July. Work was needed on the new code of conduct, and the extent it would differ from the current code. Work was also needed on the appointment procedures for the new role of the independent member, and the number of such persons the Council might need to appoint. There was a general view that at least two such persons were going to be needed, to avoid any conflicts between the different responsibilities the Act placed upon them.

The Committee also discussed the requirement for the Council to have in place arrangements for investigating and taking decisions on complaints, and what role a voluntary Standards Committee might have within those arrangements. Associated to that was the potential role of other independent persons as members of such a Standards Committee.

It was agreed the quantity of work to be done could not be reasonably dealt with before May by the normal meetings of the Committee, and therefore that ad-hoc subcommittees should be formed to progress the key issues before and after the next planned meeting of the Committee.

## Decisions

1. To set up two ad-hoc subcommittees to report back to the Committee:
  - the **Code of Conduct Subcommittee** to advise on a new code of conduct and associated documents for the Council and, if appropriate, for Ringway Parish Council; and
  - the **Appointments Subcommittee** to advise on the appointment and work of the independent members required under the Localism Act, and on the possible role for independent members of a non-statutory Standards Committee the Council might resolve to set up.
2. To appoint Councillors Burns and Sandiford as members of the Code of Conduct Subcommittee and independent member Mrs E Carmichael to Chair the Subcommittee.
3. To appoint Councillors O'Callaghan and Shaw as members of the Appointments Subcommittee and independent member Mrs A Isles to Chair the Subcommittee.