

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT THE
COUNCIL OFFICES, WIGSTON ON 15 SEPTEMBER 2008**

Present: Mrs P M Glasse - Chairman
Mr J R Rumball – Vice Chairman

Councillors: M Charlesworth, J Kaufman and P
Swift

Messrs J B Burton and G D England (Independent Members)

Officers in Attendance: Mrs A Court and D Allen

Apologies for absence were received from
Councillor K J Loydall and Ms K Garcha.

14. MINUTES

RESOLVED: That the minutes of the Ordinary Meeting of the Committee held on 16th June 2008 and those of the Extraordinary Meeting of the Committee held on 14th July 2008 be taken as read, confirmed and signed.

15. STANDARDS BOARD FOR ENGLAND: RECENT PUBLICATIONS

(a) Bulletins – Issue No. 39 & 40

In considering the topics raised in the Bulletins, particular mention was made of the item appearing on page 91 – Guidance on the Local Standards Framework. For the purposes of the meeting, the agendas had been accompanied by a folder containing three lots of updated guidance obtained from the Standards Board's website. However, these guidance papers, along with a host of others relating to the work of the Standards Committee, had been issued in purpose-made folders to Chairs, Vice Chairs and Monitoring Officers. It was agreed that the contents of these folders be replicated and issued to all other members of the Standards Committee as a work of reference, to be added to as and when new guidance is issued.

It was confirmed that the Council's first quarterly monitoring return had been submitted to the Standards Board by the due date. As a County Councillor, Councillor Charlesworth reported that he had now had some valuable experience of being involved with assessments arising from complaints and he would attempt to obtain the outcomes of these to serve as case studies for this Council.

At pages 94/95, discussion took place regarding the article on adjourning local assessment decisions. Concerns were shared about the situation where there appeared not to be any sanction against a Member who failed to co-operate with a sanction imposed on them. Mrs Court agreed to raise this

and other points with other Monitoring Officers with a view to responding to the Standards Board's request for opinions. It was generally felt that adjournments should be avoided wherever possible.

RESOLVED: That Head of Legal and Licensing obtain the views of Monitoring Officer colleagues regarding the avoidance of adjournments and associated problems with mediation, and convey those findings to the Standards Board.

(b) Local Government Chronicle (LGC) Awards 2009: Standards and Ethics Award.

The Chair pointed out that the Standards Board's letter publicising the awards had arrived soon after the previous meeting. A view was expressed that the most successful Councils, in terms of low rates of complaints against Councillors, would have little reason to participate in the proposed awards.

RESOLVED: That the content of the letter be noted and that no further action be taken for the current year.

(c),(d), (e) Contents of Separate Folder

Reference was made to the practice of cross examination deemed to be permissible in the guidance "Standards Committee Determinations" (see pages 63/63). However, the Committee expressed some contrary views that cross examination should not feature in tribunal processes. Mrs Court commented that the latter view was consistent with the practices administered in regard to the Council's Licensing hearings.

RESOLVED: That the Head of Legal and Licensing raise the conflict of views regarding cross examination with the Standards Board.

16. REMUNERATION OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEES

Having noted the letter from AIMScE and the outcome of its remuneration survey, the Committee moved on to consider the paper submitted by Mr Rumball which gave an account of the role of Standards Committee Members, more particularly the Independent persons. Role descriptions for the Chair, Vice Chair and Members of the Standards Committee were incorporated within the papers.

It was explained that the purpose of the briefing note was to seek approval of its contents prior to being presented to the Council's Independent Remuneration Panel, seeking a review of allowances payable to Independent Members of the Standards Committee. The Committee welcomed the report and commended the detailed job

descriptions. It was confirmed that separate allowances would become payable in the event of attendances at hearings. Upon a motion by Councillor Kaufman, seconded by Councillor Charlesworth, and duly carried, it was

RESOLVED: That the Council's Independent Remuneration Panel be requested to consider the report and receive representations from Standards Committee Members in person.

17. STANDARDS COMMITTEE DRAFT BUDGET - 2009/10

The Committee gave consideration to the draft budget papers prepared and submitted by Mr Rumball, as set out in report page 118, which should be read together with these minutes as a composite document.

Members heard of the increasing workload for officers in connection with administering the Standards Committee functions, especially so following devolvement of responsibilities from the Standards Board to local authorities. While the budget paper made reference to staff costs, it was acknowledged that this subject would be a matter for Policy Committee through the Council's budget processes. Mr Rumball was thanked for his report.

RESOLVED: That the draft Budget paper for 2009/2010 be agreed and forwarded to the Deputy Chief Executive for due consideration in the Council's budget processes.

18. STANDARDS COMMITTEES – NEW ARRANGEMENTS: TRAINING

The Chair made reference to proposals by AIMScE for training of Standards Committee Members. However, Members generally favoured training to be carried out locally and it was suggested that the Head of Corporate Services make enquiries for further training through the Leicestershire & Rutland Improvement Partnership, involving, perhaps, other Leicestershire authorities. Previous training sessions operated by Weightmans were highly praised.

The Head of Legal and Licensing explained her intention to prepare a Code of Practice for Standards Committee hearings along similar lines to the Code for licensing matters. In so doing views from other colleagues could be obtained at the forthcoming conference.

RESOLVED: That

- (1) The Chair decline the proposed AIMScE training proposals; and
- (2) The Head of Legal and Licensing prepare a Code of Practice for submission to the next meeting of the Committee

19. POLITICALLY RESTRICTED POSTS

Consideration was given to a report of the Head of Legal and Licensing, as set out in Report pages 119-120, which should be read together with these minutes as a composite document.

RESOLVED: That

- (1) The Committee notes its responsibilities in respect of the granting and supervision of exemptions from political restrictions of posts within the Council's establishment; and
- (2) Any appeal against the designation of a politically restricted post be heard by a sub-committee of the Standards Committee.

20. LOBBYING OF COUNCILLORS ON PLANNING MATTERS

Concerns about lobbying of Councillors, particularly in relation to the proposed Eco Town, had been referred to the Standards Committee by the Development Control Committee (28th August 2008 refers). At that time, Councillors were not only alarmed by the content of the lobbying material, and the position in which Councillors might find themselves in terms of decision-making, but also the sheer volume of paperwork they had received.

Reference was made to the guidance offered to Councillors in the Planning Code of Conduct contained in the Constitution. Members generally recognised that the practice of lobbying was an aspect of political life to be expected. Discussion turned to the meaning of the term "lobbying", which could range from a simple letter of request from a resident to a professionally prepared document to a pressurising telephone call or meeting. Members spoke of their differing experiences in dealing with lobbying instances and concluded that this was a subject upon which some guidance would be beneficial, particularly distinguishing between acceptable and excessive lobbying.

RESOLVED: That the Head of Legal and Licensing prepare a briefing/reminder paper to offer guidance to Councillors regarding the practice of lobbying.

21. REPORTS FROM INDEPENDENT MEMBERS ON ATTENDANCE AT COUNCIL/COMMITTEE MEETINGS

The meeting heard that Independent Members had been present at recent meetings of the Policy Committee, Multicultural Group and Development Control Committee and all were pleased to report that Councillors had conducted themselves well throughout, with particular mention being made of the chairing skills of Councillor Mrs Morris at the Multicultural Group.

Digressing, Mr Rumball was pleased to commend the Council for the recent initiative in localising a helpdesk in the Wigston Library, where his first enquiry was satisfactorily dealt with while the second one took a little longer.

The meeting closed at 5.30 pm