
MEETING	STANDARDS COMMITTEE
DATE	26 JUNE 2009
PRESENT	MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR) CLLRS HORTON (VICE-CHAIR), WAUDBY, HUDSON AND TAYLOR (CYC MEMBERS) MR DIXON, MR HALL AND MR WILSON (INDEPENDENT MEMBERS) CLLRS CRAWFORD, MELLORS AND FORSTER (PARISH COUNCIL MEMBERS)

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

1. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

2. MINUTES

RESOLVED: That the minutes of the Standards Committee meeting held on 13 March 2009 be approved and signed by the Chair as a correct record.

3. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

4. MEETINGS WITH LEADER AND CHIEF EXECUTIVE

The Chair provided an update on the outcome of her recent meeting with the Leader and Chief Executive of City of York Council.

Matters raised at the meeting had included:

- A briefing on the Standards Committee's annual report, in particular the low number of complaints received by comparison with other authorities, and potential problems around the setting up of joint committees under the new Regulations.
- The new assessment framework and how it had been embedded, including the recruitment of new members and the need to ensure promotion of the Committee's work through ward committees etc.
- The moral and ethical framework around the Code of Conduct, including the need to clarify for members of the public when a

councillor was and was not acting as a councillor, and other behavioural matters to consider that did not fall within the Code.

- Future plans for the Standards Committee.

Members discussed the options for promoting the Standards Committee and its work via the Press and agreed that an article or feature with input from the Chair would be the best method, if this could be arranged.

RESOLVED: That the report be noted and that the Monitoring Officer speak the Council's Head of Communications about the possibility of arranging an interview with the Press newspaper.¹

REASON: For information and to promote the work of the Standards Committee.

Action Required

1. Liaise with Head of M & C

GR

5. REVIEW OF THE PROTOCOL ON OFFICER / MEMBER RELATIONS

[See also under Part B Minutes]

Members considered a report which informed them of the latest position on the review of the Council's Protocol on Officer / Member Relations.

On 23 January 2009, Members had approved a revised draft of the Protocol, subject to some additional amendments and further consultation. That consultation had now been completed, resulting in no responses other than one from Human Resources that welcomed the revised Protocol. Members were therefore invited to recommend the revised Protocol, as amended in accordance with their comments at the January meeting, to Full Council for approval.

Members considered arrangements for reviewing the effectiveness of the Protocol once it had been approved by Council. Given that the original review had arisen from the Audit Commission's Ethical Governance audit, it was suggested that a similar audit be carried out in-house once the new Protocol had been in place for a suitable length of time.

RESOLVED: That the Monitoring Officer contact the Audit Commission to explore the possibility of using elements of their Ethical Governance audit to conduct an in-house review of the effectiveness of the new Protocol.¹

REASON: To ensure that the implementation of the new Protocol is properly followed up.

Action Required

1. Contact the Audit Commission

GR

6. ANNUAL REPORT OF STANDARDS COMMITTEE 2008/09

Members considered a draft version of the Standards Committee's Annual Report to Council for 2008/09, prepared by the Chair and the Monitoring Officer, prior to its submission to the next meeting of Full Council.

- RESOLVED: (i) That the content of the Annual Report be noted.
- (ii) That the section on the Future work plan be amended to include the work on following up the Ethical Governance review, as discussed in the previous item (Minute 40 refers).
- (iii) That, subject to this amendment, the report be approved for inclusion on the agenda of the next meeting of Full Council, on 9 July 2009.

REASON: To inform Council of the Committee's work in ensuring that ethical standards are maintained.

7. NEW REGULATIONS AFFECTING STANDARDS COMMITTEES

Members considered a report which informed them of the contents of the New Standards Committee (Further Provisions) (England) Regulations 2009 (SI 2009/1255), which had come into force on 15 June 2009.

The Regulations enabled the Standards Board for England to suspend the functions of a local Standards Committee where that committee failed to perform its functions satisfactorily and to discharge those functions itself or arrange another authority's Standards Committee to discharge them. They also gave authorities power to establish Joint Standards Committees and extended the powers of Standards Committees to grant dispensations to allow members to speak and vote upon matters in which they had a prejudicial interest.

Further details of these provisions were set out in 3 to 14 of the report. In respect of the power to grant dispensations, the Regulations amended an incorrect reference in the previous regulations to the proportionality rules and specified that a dispensation could be granted where the business of the authority would be impeded because the absence of members due to prejudicial interests would upset the political balance of the meeting so as to prejudice the outcome of voting. The re-drafted text suggested that a dispensation on this ground would only be granted where there was clear evidence that voting on the item would be conducted on strict party lines.

RESOLVED: (i) That the Monitoring Officer advise all Members of the new grounds for application for a dispensation.¹

REASON: To ensure that Members are fully informed of the changes.

(ii) That the Monitoring Officer make tentative enquiries of the standards committees of the Police and Fire authorities within the vicinity, to establish whether any are considering exploring the potential for joint working, and report the results back to the Standards Committee.²

REASON: So that consideration can be given to establishing a Joint Standards Committee under the new Regulations, if appropriate.

Action Required

- | | |
|--|----|
| 1. Inform all Members of the change | GR |
| 2. Make enquiries of Fire and Police authorities re Joint Committees | GR |

8. ANNUAL STANDARDS ASSEMBLY

Members received information on the 2009 Annual Assembly of Standards Committees, to be held in Birmingham on 12-13 October and were invited to consider whether to send a representative to this event.

The Monitoring Officer advised that there was no specific budget for this event and that it was for Members to take a view on who needed to attend and the responsibility of the Monitoring Officer to secure any funding required.

RESOLVED: (i) That the Chair attend on both days of the Annual Assembly and that Cllr Horton and Mr Hall attend on the first day only.

(ii) That any further requests to attend this event be passed on to the Monitoring Officer or the Principal Democracy Officer.

REASON: So that York is properly represented at the Annual Assembly.

9. REVIEW OF WORK PLAN

Members reviewed the work plan for the Standards Committee for the 2009/10 municipal year.

RESOLVED: (i) That the following amendments be made to the draft work plan for 2009/10 circulated with the agenda:¹

- a) Meeting on 28 August 2009 – add:
 - Guidance on ‘Other Action’
- b) Meeting on 23 October 2009 – add:
 - Review of Planning Code of Good Practice

- c) Meeting on 18 December 2009 – add:
 - Follow up to Ethical Governance review – report on results of Monitoring Officer’s discussions with the Audit Commission

 - d) Meeting on 22 January 2010 – remove Annual Report to Council and add:
 - Report on promoting the work of the Standards Committee
 - Reports on Members’ and Officers’ Registers of Gifts and Hospitality (including details of current practice throughout the Council on the Officers’ Register)
- (ii) That the following items be noted for future inclusion on the 2010/11 forward plan:
- Member Declarations of Interests (annual) – June 2010
 - Results of the Monitoring Officer’s enquiries regarding Joint Committees – July 2010

REASON: To ensure an organised programme of work for the Committee.

Action Required

1. Amend work plan as agreed

GR

PART B - MATTERS REFERRED TO COUNCIL

10. REVIEW OF THE PROTOCOL ON OFFICER/MEMBER RELATIONS

[See also under Part A Minutes]

Members considered a report which informed them of the latest position on the review of the Council’s Protocol on Officer / Member Relations.

On 23 January 2009, Members had approved a revised draft of the Protocol, subject to some additional amendments and further consultation. That consultation had now been completed, resulting in no responses other than one from Human Resources that welcomed the revised Protocol.

Members were therefore invited to recommend the revised Protocol, as amended in accordance with their comments at the January meeting, to Full Council for approval.

RECOMMENDED: That Council approve the revised Protocol on Officer / Member Relations.

REASON: In accordance with the requirements of the Constitution.

C Bainton, Chair

[The meeting started at 3.00 pm and finished at 4.30 pm].