

MINUTES OF THE STANDARDS COMMITTEE
Wednesday, 17th January 2007 at 7.30 pm

PRESENT: John Mann (Chair, Independent Member) and Councillors Colwill and Leaman and Powney.

Apologies for absence were received from Rochelle Gelman (Vice-Chair, Independent Member).

1. Declarations of Personal and Prejudicial Interests

Councillor Colwill declared a non-pecuniary interest in the item relating to the Planning Code of Practice as he lived nearby to a house referred to in the review.

2. Minutes of the Previous Meeting

RESOLVED:-

that the minutes of the previous meeting held on 11th October 2006 be approved as an accurate record.

3. Matters Arising

Annual report

It was noted that the information on members attendance at meetings would be available at the next meeting.

Twinning

Members were advised that a response from South Dublin regarding the new protocol was still awaited.

Networking Event

An event had now been planned for 21st March, and Peter Keith-Lucas, an exponent of local government and standards had agreed to be the main speaker. Invitations would be issued shortly.

4. Annual Review of the Member Development Programme 2005/6

The Mayor's Office and Member Development Manager, Lorraine Brook, outlined activities and achievements over the preceding year. The programme had been initially based on members' personal development plans however the build up to the local elections in May had impacted on the final months of the programme. Work towards the end of the year focused on an induction programme. Those in receipt of training had given positive feedback. The programme for this year and longer term planning would again be based on issues raised in personal development interviews – 45 of which had already taken place. A detailed log of attendance would be kept of future events.

The Committee thanked the Mayor's Office and Member Development Manager and her predecessor for their work on the programme which had contributed to member's knowledge and skills. It was noted that of the £21,000 available, the cost of the programme in 2005/06 was approximately £16,000. Members agreed that efforts should be made to ensure that members took up training opportunities on offer. Review mechanisms were in place and a further assessment of the knowledge skills gap would take place next year. The Committee noted that new ways of delivering training were being considered and that consideration was being given to professional qualifications. It was agreed that the members be reminded of the e-learning opportunities available. The Committee noted the questions raised by the Vice-Chair which were answered during the discussion.

The Chair on behalf of the Committee praised the member development programme in which the Council was taking a lead role.

The Committee noted the report.

5. Members' Interests

The Committee received a report from the Borough Solicitor setting out the current position on the members' interests register and compliance with the Brent Members' Code of Conduct. The Code required members to disclose financial interests and memberships and positions of general control or management of bodies outside of the Council and the Borough Solicitor's representative advised that for the current municipal year there had been some minor non-compliances. Accordingly, it was recommended that the Monitoring Officer write to all members reminding them of their duty to update the register. The Committee requested that Group Whips be kept informed to help ensure compliance. It was also agreed that information be sent to members reminding them of outside body memberships.

RESOLVED:-

- (i) that the report be noted;
- (ii) that it be noted that in future this report will be part of the Monitoring Officer's Annual Report to the Standards Committee;
- (iii) that the Monitoring Officer write to all members to remind them of their duty to update the Register.

6. Planning Code of Practice Review

The Committee received a the annual report following the Planning Code of Practice independent review for the period June 2005 to May 2006. The Borough Solicitor's representative, in introducing the report, drew members' attention to the recommendations set out in the review. There was some evidence to suggest that not all members fully understood the rules governing declaration of interests. However, a large amount of training and guidance had already been provided to members and so it was therefore proposed that if it

became apparent that further guidance was needed then this would be provided.

It was also felt that planning officers did not always need 14 days to assess a revision to an application received from the applicant and so the Borough Solicitor proposed to make an amendment to the Planning Code to allow the Head of Planning to report on revisions received within a shorter period than 14 days before the relevant Planning Committee meeting, where he had sufficient time to assess the revisions.

The review also suggested that the monitoring group comprising the Chair of the Planning Committee and officers from Legal and Democratic Services and the Service be re-established to improve communication, generate further improvements and monitor the effectiveness of implementation of the Planning Code. It was also explained that following the suggestion in the review that the public be made more aware of the Code, some amendments had been made to the guide to proceedings leaflet made available to the public. The review also suggested that the running order of the meeting be determined at the Briefing to reduce the waiting time for members of the public.

Members in discussion referred to the role of officers in advising the general public and developers on planning applications. It was noted that officers had a role in advising applicants on whether they could recommend grant of any particular application to the Planning Committee and (where an application was currently unacceptable) in advising on whether any amendments could be made to it so that grant could be recommended. It was also noted that officers were bound by the code of conduct relating to the acceptance of gifts and hospitality.

Regarding the submission to the Planning Committee of reports on revisions to applications received within 14 days of the relevant meeting, members were concerned that officers should have reasonable notice of revised applications and that Planning Committee members should have sufficient time to consider these. The Committee felt that an amendment to the Planning Code on the lines proposed would be appropriate provided that any revision had been submitted a reasonable period in advance. The Committee also requested that a record be kept of the occasions on which this particular paragraph in the Code was utilised and that a this be reported back to the next meeting of the Committee, if necessary, under matters arising.

In connection with the re-establishment of the Planning Monitoring Group, it was considered that the Standards Committee was best placed to monitor the operation of the Planning Code (if necessary with the Chair of Planning Committee attending) and that accordingly re-establishing the monitoring group was unnecessary. It was noted that the Guide to the Proceedings for Planning Committees now included reference to the Code of Conduct and that a notice of the running order of items to be considered would be made available to the public following the Planning pre- Briefing session.

The Committee also considered items raised on the Vice-Chair's behalf in her absence not referred to earlier in the meeting. It was noted that the current composition of the Planning Committee included all three councillors from one

particular ward as either members or alternates and the Group Whips on the Council would review this. It was also agreed that it was members' responsibility to obtain legal advice on declaring interests including declarations to be made at meetings. Members hoped that the members' training event on planning, taking place the same evening, would assist.

RESOLVED:-

- (i) that the findings of the Planning Code of Practice: Independent Review for the period June 2005 to May 2006 and the comments of the Borough Solicitor be noted;
- (ii) that it be noted that the Democratic Services Manager has amended the Guide to Proceedings provided to members of the public so as to refer to the Planning Code and explain its purpose;
- (iii) that the Democratic Services Manager discuss with the Chair of the Planning Committee whether the order of business can be determined immediately before the start of Planning Committee meetings and published;
- (iv) that the Borough Solicitor be recommended to amend the Planning Code to state that no material revision by the applicant to a planning application which might lead to a change in the recommendation of officers shall be considered at Planning Committee unless it has been submitted such reasonable period in advance in advance of the relevant Planning Committee as is agreed by the Head of Planning and has been the subject of full appraisal by officers, and that a record be kept of the number of instances that this provision is used;
- (v) that officers be recommended not to re-establish the monitoring group referred to in paragraph 3.3.3 of the report, but that the monitoring of the effectiveness of the implementation of the Planning Code and ideas for improvement should be put before this Committee for consideration at which time the Chair of the Planning Committee could be invited to attend along with relevant officers.

7. Standards Board for England Borough Statistics

The report from the Borough Solicitor provided some the latest statistics provided by the Standards Board for England on the number of complaints received and decisions made on allegations of misconduct.

RESOLVED:-

that the report be noted.

The meeting ended at 9.25 pm

J MANN
Chair