

MINUTES OF THE STANDARDS COMMITTEE
Tuesday, 21st October 2003 at 7.30 pm

PRESENT: John Mann (Chair, Independent Member) and Councillors R Colwill and Nerva.

Apologies for absence were submitted on behalf of Councillor Hughes.

1. Declarations of Interest

At this meeting there were none.

2. Deputations

None.

3. Minutes of Previous Meeting – 15th July 2003

RESOLVED:

that the minutes of the previous meeting held on 15th July 2003 be approved as a true and accurate record.

4. Matters Arising

Training for Members of the Standards Committee

The Chair reported that he had delayed writing until after the recent by election in order that he might address his letter to all three of Brent's MPs. He had now done this and awaited the outcome.

Work Programme

Terry Osborne, Borough Solicitor and Monitoring Officer, explained that the model Employee Code of Conduct had still not been issued by the Government. She would continue to track progress on this and report to the Committee when the model code was produced. Terry Osborne also reported that the local determination regulations had been issued but that further regulations were still awaited. Upon receipt of these she would be able to report to the Committee on the whole procedure for local investigations and allegations of misconduct.

5. Planning Code of Practice Review

The Committee received the annual report from the Borough Solicitor following the Planning Code of Practice Independent Review for the period June 2002 to May 2003. Tim Baker, the independent consultant who carried out the review, explained the background to the preparation of the report. He had looked at the minutes of all the meetings of the Planning

Committee that had taken place during the review period, issued a questionnaire to members, held face to face meetings with the principal Members and officers involved and had had reference to the previous year's review.

Councillor R Colwill referred to the training event he had attended on Saturday 18th October and stressed the importance he attached to members of Planning Committee attending such training events. It was also suggested that the general principles behind sound decision making on planning applications should be made clear to all Members of the Council. It was agreed that a short briefing session on this should be incorporated into the Member development programme. It was also agreed that the slides from the presentation should be circulated to all other relevant Members who were unable to attend the event. Tim Baker stated that the maintenance of training records for members would make it easier to target future Member development needs.

In answer to questions about Members declaring interests after having been approached by local residents, Terry Osborne, Borough Solicitor and Monitoring Officer, stated that the requirements of the Brent Members Code of Conduct reflected the relevant legislation. It helped if Members were able to seek advice before the meeting if they were unsure about the need to declare an interest. She added that advice on declaring interests had previously been issued to all Members but that she would write again pointing out the differences between personal and prejudicial interests.

The Committee discussed the weight that should be given to the Unitary Development Plan (UDP) and the emerging replacement Unitary Development Plan when the Planning Committee took decisions on individual applications. It was suggested that deciding the matter according to the UDP could lead to members taking decisions that were against their better judgement. However it was explained that it was a statutory requirement for applications to be determined in line with the UDP unless other planning factors came into play. The UDP was drafted on sound planning principles and safeguarded by an approval process. If any Member felt unable to support the general policies of the UDP they should decline to be a member of the Planning Committee.

The Committee noted that a public guide to committee proceedings had been produced and was made available at Committee meetings to assist the public in understanding the decision making process followed at the meetings.

In conclusion the Committee acknowledged that it was a responsibility of the Whips to ensure their members attended appropriate training provided and that a conduct letter from the Borough Solicitor would be sent to all Members picking up on the outcomes of the review that required their action.

RESOLVED:-

that the following recommendations made in the Planning Code of Practice: Independent Review for the period June 2002 to May 2003 be agreed:-

- (i) that the definitions for both personal and prejudicial interests at committee meetings be clarified, especially with regard to declaration of approaches by interested parties. Within the meeting itself, such declarations should be accurately categorised by the minute taker and the minutes to reflect this categorisation. For the benefit of committee members, clarification should be addressed within the Member Development Programme;
- (ii) that political groups be reminded that, when appointing alternates, care should be taken to ensure that all Wards contain a councillor who is not a member of the Planning Committee;
- (iii) that there be a review of the use of, and effectiveness of, Committee pre-meetings due to current attendance patterns. The review should be jointly managed by Democratic Services, Legal Services, the Planning Service and political group representatives;
- (iv) that committee members be strongly reminded that when voting on application approval/refusal, personal judgement should be used, not political judgements;
- (v) that further improvements to clarity of the committee meeting process should be considered. This will enable members of the public and non-committee members in attendance to understand and have confidence in the decision-making process.

6. Meeting of Standards Committee Members and Monitoring Officers of the North West London Boroughs

The Committee had before them a report which followed up on the Chair's suggestion that Brent should initiate a meeting of the North West London Borough Standard Committee Members, Monitoring Officers and supporting officers. The event was to take place on 13th November. The Chair thanked officers for their work in arranging the event and hoped members would be able to attend.

Councillor Colwill took the opportunity to thank the Chair of the Committee for leading the work of the committee in such a way that the members were now able to work together effectively.

RESOLVED:

that details of the event be noted.

7. **Perusal of 'Brent's Declaration of Interest Form – Notification by Member of a Local Authority of Financial and Other Interests – Local Government Act 2000, S81(1)'**

The Chair explained that Councillor Colwill had requested that this item be included on the agenda for the purposes of clarifying the responsibilities of members in declaring their interests. Councillor Colwill drew attention to the fact that the form only required members to declare their personal interests and not those of their families or acquaintances. The Chair confirmed this and stressed that Members should be sure to declare any wider interests they had in a matter upon its discussion at meetings. Terry Osborne pointed out that paragraph 14 of the Brent Members Code of Conduct dealt with the requirements of members to declare their financial and other interests. The form circulated with the agenda was used for this purpose. The declaring of an interest in a particular item was a separate responsibility that members had to be careful to do at each meeting.

8. **Date of Next Meeting**

It was noted that the next meeting of the Committee was scheduled to take place on 22nd January 2004.

9. **Any Other Business**

Advertisement for Independent Members

Terry Osborne advised the Committee that the Council would soon be advertising for people to fill the two places for independent members on the Standards Committee. The Council was required to go through such a recruitment exercise but she emphasised that it would be open for the existing two members to apply to continue to serve.

The meeting ended at 8.40pm

J MANN
Chair

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