

MINUTES OF THE STANDARDS COMMITTEE
Tuesday, 15th July 2003 at 7.30 pm

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

An apology for absence was submitted on behalf Barbara Phillips (Vice-Chair).

1. **Declarations of Interest**

At this meeting there were none.

2. **Minutes of Previous Meeting**

The minutes of the previous meeting held on 8th April 2003 were approved as an accurate record.

3. **Matters Arising**

2002/03 Audit Plan

Members questioned whether the Audit Plan had been circulated to members of the new Scrutiny Board for consideration and were advised it would be submitted to the Performance and Finance Select Committee.

Alleged Breach of Conduct

Councillor Hughes stated that had he been present at the meeting on 8th April he would have concurred with the request from Councillor Colwill to record in the minutes that it had been felt that there was insufficient evidence before the July 2002 Committee relating to the alleged breach of conduct in order for them to make a true and valid decision.

Planning Code of Practice – Annual Review

Councillor Hughes reiterated his view that the convening of a pre-meeting prior to the Planning Committee undermines the work of that Committee and should have no place in the planning process.

Training for Members of the Standards Committee

The Chair confirmed that he had written to the Chair of the Standards Board concerning the provision of training for Standards Committee members, free of charge, and had received a reply which he considered to be defensive. He had subsequently written again and received a further reply in the same vein. He would also now write to the Brent MPs as agreed.

4. **Report Back from the Monitoring Officer**

In the absence of the Borough Solicitor, Ian Chisnell (Principal Lawyer) advised that since the last meeting the Standards Board had issued a report on their investigation into an allegation concerning Councillor Jack Sayers. A confidential report had been issued to the Council and could not be disclosed under the provisions of the 2000 Act. An Executive summary had been published on the Standards Board website and was circulated at the meeting. It was noted that the Ethical Standards Officer had found that Cllr Sayers conduct could reasonably be regarded as bringing his office or authority into disrepute and the Ethical Standards Officer would have referred the matter to this committee but in the absence of Section 66 Regulations he found that no further action needs to be taken. It was therefore not open to this Committee to make any findings.

Ian Chisnell further advised that the Monitoring Officer had received a number of complaints which had either been withdrawn or which she considered did not justify a referral to the Standards Board. Any action required had been taken. However, the Executive summary circulated at the meeting was in the public domain.

The Committee received and noted the Executive summary.

5. **Annual Report of the Monitoring Officer**

Ian Chisnell outlined the contents of the report from the Monitoring Officer which set out matters that have been referred to her and complaints sent to the Standards Board and outcomes, etc. It was noted that the issues discussed at a previous meeting relating to the constitution had been fed into the report to the Annual Meeting. The Committee also noted the items suggested for the Work Programme over the coming year

The Chair reported that he had recently attended a CIPFA 'Better Governance Forum' on developing the roles of Monitoring Officers and Standards Committees. He circulated a briefing note on the key learning points regarding the timing of the issuing of Monitoring Officer regulation, the powers of Standards Committees and how meetings are likely to be held. There were also a number of practical arrangements that would need to be resolved.

Members noted the Monitoring Officer's report and the Chair's report.

6. **Local Authorities (Code of Conduct) (Local Determinations) Regulations 2003**

The Committee considered a report from the Borough Solicitor concerning the coming into effect of the above Regulations made by the Secretary of State under Part III of the Local Government Act 2000.

The Regulations, which set out how local authority standards committees should determine matters referred to them to consider whether or not there has been a breach of the Code of Conduct, were made on 5th June 2003 and came into force on 30th June 2003.

Standards Committees are still unable to hear cases, however, as the Standards Board has yet to issue the guidance referred to in the regulations. The Committee noted the coming into effect of the regulations and that further guidance is awaited.

7. Change of Terms of Reference of Standards Committee

The Committee noted the proposed change to paragraph 8 of its terms of reference to read: *'To consider and make reports to the Council regarding compliance with the Constitution'* and subsequent change to the terms of reference of the General Purposes Committee and agreed that officers should refer the proposed changes to the Constitutional Monitoring Group.

8. Work Programme

The Committee received a suggested Work Programme for the coming year. It was noted that training and networking with other London boroughs was currently being discussed, and that once the Regulations were available this would help establish the level of training required. The work programme, which included the following was agreed:

Annual Review of Members' Interests
Annual Review of Gifts and Hospitality
Local Investigations and Allegations of Misconduct – Procedure
The Employee Code of Conduct
Review of the Operation of the Planning Code of Practice
Ethical Governance

The meeting ended at 8.15 pm.

J MANN
Chair

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