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**DACORUM BOROUGH COUNCIL**

**STANDARDS COMMITTEE**

**7 JUNE 2012**

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Present -

**MEMBERS:**

Borough Councillor, Lloyd; Julie Steer (Bovingdon Parish Council) and Independent Members Eileen Heylin and Shelley Savage (Chairman).

**OFFICERS:**

Steven Baker Assistant Director (Legal, Democratic & Regulatory) and Monitoring Officer and Pauline Bowles (Member Support Officer).

The meeting began at 7.30 pm.

**1. MINUTES**

The minutes of the meeting held on 19 January 2012 were confirmed by the Members present and were then signed by the Chairman.

**2. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf Borough Councillors Flint, Rance and Wood; Town and Parish Councillors John Allan, (Tring Town Council) and Daniel Burfot (Nettleden with Potten End Parish Council); Independent Member, Joanna Brown.

**3. THE LOCALISM ACT 2011 - CHANGES TO THE STANDARDS REGIME**

The Monitoring Officer summarised his report giving an update on the changes to the Standards Regime in Local Government brought about by the Localism Act 2011.

The Monitoring Officer highlighted the following points.

- The report explains the provisions agreed by Cabinet and Full Council who followed the recommendation of the Standards Committee to put in place a Code that replicates the current Code as far as possible.
- The adopted Code refers to the new category of 'Disposable Pecuniary Interests' but these will not be defined until the regulations are received.
- The Code will not come into force until the Government issue the Commencement Order. The target date is 1 July 2012. In the meantime the existing Code will apply.
- At the Annual Council Meeting it was agreed to appoint a new Standards Committee which will come into effect once the new Code comes into force.
- Cabinet felt that the Standards Committee recommendation to appoint a Standards Committee comprising of 9 elected members was too large and it was agreed to appoint 9 members made up of 5 elected members from the

Borough Council and to disapply political proportionality to allow representation from all three political parties and to also have two places reserved for Independent members and two places for Town/Parish Councils. The Independent members and the Town /Parish representatives can take part in discussions at meetings of the Standards Committee, but they will not be able to vote. However, conduct hearings will be conducted by a panel or sub-committee with the full Standards Committee retaining the final decision making power. This means that, because the sub-committee will only be making recommendations to the full Standards Committee, the independent members and the Town /Parish representatives on the sub-committee will be able to vote.

- The Independent Person will not be a member of the Standards Committee but the advice given, is to invite them to meetings where they are permitted to join in any discussions as an independent voice.
- The requirement is that the Independent Person must be consulted by the Standards Committee when an investigation has been carried out by the Standards Committee and found that there has been a breach of the Code. There is however discretion for the Independent Person to be consulted at any stage of the process. The person being complained about can also consult the Independent Person if they wish to. The role of the Independent Person will be seen as more of an arbitrator.
- Assessments will be carried out by the Monitoring Officer in consultation with the Independent Person.
- The new system will allow for more discretion and scope to apply a practical solution.
- The Standards Committee approved a process for dealing with complaints which was approved by full Council in January.
- The recruitment for the Independent Person will need to go ahead. Mr Baker reported that he had drafted an advertisement and person specification. He suggested that once the position had been advertised, he would meet with the chairman of the current Standards Committee to look at the candidates and draw up a short-list for interview. A sub-committee of the current Standards Committee would convene to carry out the interviews and make recommendations to Full Council for the appointment.
- The three existing Town/Parish Council representatives are permitted to put themselves forward for co-option to the two places (one town and one parish) on the new Standards Committee. Councillors Julie Steer and John Allan had indicated a willingness to continue serving on the Standards Committee. It was agreed that the Standards Committee would recommend Council that Councillors Steer and Allan should be re-appointed for one year only in order to preserve continuity during the transition phase.
- It was suggested by the Monitoring Officer that the first appointments of the Independent Members and Town/Parish Council representatives could be for one year and then reviewed with the expectation of four year appointments.
- Town/Parish Councils have been sent a copy of the Code, adapted for use by the Town/Parish Councils. It seems likely that the majority of them will opt for the Borough Council Code.
- Herts County Council has adopted the Code as adapted by the National Association of Local Councils.

Resolved:

1. That the Monitoring Officer will start the recruitment process to find an Independent Person.

2. That the Monitoring Officer will contact the existing Independent Members to see if they wish to be co-opted to the new Standards Committee for an initial period of one year.
3. That the re-appointment of Councillors Julie Steer and John Allan to the Standards Committee as the representatives of the Parish and Town Councils be recommended to Council.
4. That following the introduction of the new regime (1July) the next meeting of the Standards Committee on 20 September will take place with the new Committee as appointed at Annual Council on 16 May 2012.

#### **4. DATE OF NEXT STANDARDS COMMITTEE MEETING**

Thursday 20 September 2012

The meeting ended at 8.05 pm.