

\*\*\*\*\*

**DACORUM BOROUGH COUNCIL**

**STANDARDS COMMITTEE**

**20 SEPTEMBER 2012**

\*\*\*\*\*

Present -

**MEMBERS:**

Borough Councillors Lloyd and Mrs Green.

**CO-OPTED REPRESENTATIVES:**

Town and Parish Councillors John Allan, (Tring Town Council) and Julie Steer (Bovingdon Parish Council).

**Also Attended:**

Councillor Robin McCarthy (Aldbury Parish Council) as a substitute Member of the Standards Committee.

Shelly Savage - Interim Independent Person

**OFFICERS:**

Steven Baker Assistant Director (Legal, Democratic & Regulatory) and Monitoring Officer and Jim Doyle Group Manager (Democratic Services).

The meeting began at 7.30 pm.

**5. APPOINTMENT OF CHAIR**

It was moved duly seconded and

Resolved:

That Councillor Carol Green be appointed Chair for this meeting.

**6. MINUTES**

The minutes of the meeting held on 7 June 2012 were confirmed by the Members present and were then signed by the Chairman.

**7. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf Borough Councillors Flint and Rance and Independent Co-opted Representative, Amy Willcox.

## **8. THE LOCALISM ACT 2011 – THE AMENDED STANDARDS REGIME**

Steven Baker, 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.

With the appointment of this committee the Council has implemented proposals contained in the Localism Act 2011. The next step is for this committee itself to approve the documents and procedures for the new standards regime. Proposed documents and procedures were circulated to the members of the committee and these formed the basis of the discussion which followed.

This committee is to consist of nine members: Five Borough councillors; Two parish councillors co-opted (with no voting rights); and two co-opted independent members (with no voting rights) – the vacant position for the independent member to be filled after the recruitment of the independent person.

The Monitoring Officer took the committee through the terms of reference and concentrated on page 7, powers of sanction.

It is anticipated that this new regime will permit the independent members greater involvement in the decision making process.

DBC Councillor Lloyd moved the discussion on to the issue of disclosure of interests and the Register of Member Interests maintained by the Borough Council. He has identified differences between different layers of local govt in the way these registers of interests are maintained. In his opinion Hertfordshire County Council (HCC) has moved away from disclosure while Dacorum has retained the greater disclosure of earlier schemes. He was concerned that these differences in approach may confuse the public.

The Monitoring Officer acknowledged that there is a difference in approach taken by the Borough and the County. He added that this new code is a 'local' code, retaining mandatory disclosure of pecuniary interests and some additional clauses eg to monitor the acceptance of Gifts & Hospitality. This approach was taken on the grounds of increased transparency. He went on to point out that this is a local code adopted by the council and it can be reviewed and changed as necessary.

Tring Town Cllr Allan, has recommended this scheme to Tring Town Council and he felt all the parish councils should strongly recommended to adopt the DBC scheme.

The Monitoring Officer will regularly review the implementation of the code by the Parish and Town Councils but did point out that he can only make recommendations to these bodies on the code they adopt.

This position will be reflected in the Complaint Form which should be altered to say the 'appropriate' code of conduct adopted by of the relevant town or parish council.

The committee suggested that each Complaint Form should make reference to the particular Parish or Town Council to which it refers and should give the opportunity to those complaining to set out the specific section of the code which has been breached. This will mean providing all complainants with a copy of the relevant code of conduct.

All forms should contain addresses and e-mails contact details for the Parish or Town Council and should make clear that a Complainant can apply direct to the Borough council regarding a parish council and that this does not have to be by way of referral from that body.

DBC Cllr Mrs Green suggested that in order to protect the Monitoring Officer complaints about senior DBC council members or the Leader of the Council should be referred direct to the Standards Committee and it would be advisable to bring in someone from outside to assist.

The following specific alterations to the form/recommendations were considered:

- The timescale for dealing with complaints should be 20 working days to decide on an investigation and then the actual investigation takes as long as required.
- S Savage advised that the rules surrounding the appointment of the standards sub-committee should appear in the constitution.
- The sub-committee will consist of five members drawn from the full committee and include one of the town & parish councillors.
- The procedures surrounding the Standards sub-committee hearing were considered and it was pointed out that this meeting would be subject to the same rules as Dacorum Borough Council standing committees.
- It was suggested that section 10.2 of the Complaints Procedure be amended by the deletion of '..... a maximum of .....'.

With these alterations and additions DB Councillor Lloyd proposed the Code and Procedures to the meeting and it was

Resolved:

1. That the (amended) Complaints Procedure and the Complaints forms be recommended to the Council for adoption.
2. That Dacorum Borough Council review the Complaints Procedure and the Complaints forms in nine months.

**9. DATE OF NEXT STANDARDS COMMITTEE MEETING**

The next meeting will take place on Wednesday 19 December 2012.

The meeting ended at 9.20 pm.