



**NOTES  
OF THE MEETING OF THE  
STANDARDS COMMITTEE  
THURSDAY 31 MAY 2012**

Held at 7.00 pm in Committee Room 1, Civic Centre, Pavilion Road, West Bridgford

**PRESENT:**

Chairman: P Joyce QC

Councillors: L J Abbey, R A Adair, J E Greenwood, K A Khan,  
A MacInnes, B A Nicholls

Independent Members: R A Brooks, G Norbury, N Waterston, W A Wood

**OFFICERS PRESENT:**

P Cox Senior Solicitor  
L Reid Jones Democratic Services Manager  
D Swaine Head of Corporate Services

**APOLOGY FOR ABSENCE:**

K Williamson Independent Member

**1. Declarations of Interest**

There were none declared.

**2. Notes of the Previous Meeting**

The notes of the meeting held on Wednesday 7 March 2012 were accepted as a true record.

**3. New Standards Arrangements**

The Head of Corporate Services introduced a report outlining the proposed new standards arrangements as a result of the work of the Standards Sub-Committee. The Sub-Committee had met on two occasions to consider the future of the standards regime given the changes contained within the Localism Act. The report informed Members that the Sub-Committee had considered:

- Whether there should be a Standards Committee
- If there were to be a Standards Committee, what its composition and Membership could be
- The role of the Independent Person
- .The form and content of the new Code of Conduct required under the Act

The Sub-Committee had put before the Standards Committee a set of recommendations for consideration by Council:

**a. a new Standards Committee be established**

Standards Committee supported this recommendation.

**b. the draft Terms of Reference as set out in appendix 2 be accepted**

Standards Committee supported this recommendation.

**c. granting of dispensations be retained as a function of the Standards Committee**

Standards Committee supported this recommendation, subject to the word 'should' being added to the recommendation to read 'should be retained'.

**d. the Standards Committee have 9 Members, comprising 6 Borough Councillors, 2 parish Members and 1 independent member**

Members questioned why independent members were to be included on the committee if they did not have a vote. The Head of Corporate Services explained that as this committee was being established under the Local Government Act 1972, only elected Members were entitled to vote, and the committee would have to be politically representative of the Borough councillors. He added that Members of the Sub-Committee had been keen for there to be an independent influence on the new committee, even if they did not have a vote. Furthermore it also recognised the role of the parish councillor and was a way of retaining their involvement in the new regime.

Standards Committee supported this recommendation.

**e. that the Chief Executive and Monitoring Officer be authorised to make the necessary arrangements to recruit to the parish and independent member positions**

Standards Committee supported this recommendation.

**f. a Sub-Committee of 3 Members could hear specific cases, but more significant or serious cases should be referred to the full Standards Committee based on some specific criteria**

The Head of Corporate Services gave examples of what could constitute a significant or serious case, eg involving a senior member, status of complainant, very serious or complex case which would take up more resources than the sub-committee could provide, bullying, governance issue, public interest case. He informed Members that criteria would be drafted prior to Council.

With regard to membership the Head of Corporate Services stated that this should be three Borough Councillors and one independent/parish co-optee, who would not have a vote, but would bring an independent

perspective to the Hearing. He added that the Borough Councillors would be drawn from the Standards Committee on the basis of availability, but recognising that they could be conflicted out. The membership would have to be politically balanced.

Standards Committee agreed that 'Members' should be clarified as 'Borough Councillors', and that there should be at least three on a Sub-Committee. They were of the view that the criteria should be agreed by Council.

Standards Committee supported the amended recommendation.

- g. existing allowances under the Members' Allowances Scheme continue to apply to the independent and parish Members of the Standards Committee;**

Standards Committee supported the amended recommendation.

- h. the Chief Executive and Monitoring Officer be authorised to make the necessary arrangements for the appointment of the Independent Person and to report to full Council with details of the preferred candidate;**

The Senior Solicitor reminded Members that the Independent Person was a new role under the Localism Act and that their views had to be sought and taken into account in relation to any complaints received by the Monitoring Officer. He added that a recruitment pack would be put together based on that for the previous independent members, and this would include a job description for the role.

Standards Committee supported the amended recommendation.

- i. that the Independent Person be paid an annual fee equivalent to that of an independent member of the Standards Committee.**

Standards Committee supported the amended recommendation.

The Head of Corporate Services informed Members that there would be training for Members on the new code of conduct and disclosable pecuniary interests.

**RESOLVED** that the Standards Committee recommend to Council that:

- a. a new Standards Committee be established;
- b. the draft Terms of Reference as set out in appendix 2 of the report be accepted;
- c. granting of dispensations should be retained as a function of the Standards Committee;

- d. the Standards Committee have 9 Members, comprising 6 Borough Councillors, 2 parish Members and 1 independent member;
- e. that the Chief Executive and Monitoring Officer be authorised to make the necessary arrangements to recruit to the parish and independent member positions;
- f. a Sub-Committee of at least three Borough Councillors and one independent members could hear specific cases, but more significant or serious cases should be referred to the full Standards Committee based on specific criteria to be agreed by Council;
- g. existing allowances under the Members' Allowances Scheme continue to apply to the independent and parish Members of the Standards Committee;
- h. the Chief Executive and Monitoring Officer be authorised to make the necessary arrangements for the appointment of the Independent Person and to report to full Council with details of the preferred candidate;
- i. that the Independent Person be paid an annual fee equivalent to that of an independent member of the Standards Committee.

#### 4. **New Code of Conduct**

The Head of Corporate Services introduced a report detailing a proposed new code of conduct for Members. He explained that the Localism Act required all relevant authorities, which included both district and parish councils, to adopt a new member code of conduct. The code must be one which was consistent with the seven 'Nolan Principles' which formed part of the ten General Principles that underpinned the model code introduced by the Local Government Act 2000. He informed Members that the Sub-Committee had considered both the Department for Communities and Local Government's 'illustrative text' and the Local Government Association's template code of conduct. They had agreed that a hybrid code with some text added from the Council's existing code should be recommended to Council, as set out in appendix one of the report.

The Head of Corporate Services explained that the parish councils could adopt the same code as the Borough Council, however he was aware that the National Association of Local Councils had produced their own draft code and that parish councils could opt for that code. He added that whichever code was adopted, the Borough Council would have to be made aware of it so that any complaints of breaches of the code could be dealt with appropriately. The Borough Council would have to publish all of the parish codes of conduct on the Council's website.

**RESOLVED** that:

- a. the draft Code of Conduct set out in Appendix 1 be referred to Council on 21 June for approval
- b. the Monitoring Officer be requested to write to Parish Councils asking them to consider adopting the proposed Code of Conduct.

As this was the last meeting of the current Standards Committee the Head of Corporate Services expressed his thanks to the Committee for their involvement. Councillor Adair concurred with this.

The meeting closed at 6.20 pm.

**Action Sheet**  
**STANDARDS COMMITTEE - THURSDAY 31 MAY 2012**

<b>Minute Number</b>	<b>Actions</b>	<b>Officer Responsible</b>
3	Refer recommendations to Council	Head of Corporate Services
4	Refer recommendations to Council	Head of Corporate Services