

STANDARDS COMMITTEE

At a meeting of the Standards Committee Wednesday, 10 November 2010 Committee Room 1, Runcorn Town Hall

Present: Mr B. Badrock (Chairman) , Parish Councillor Mr B Allen, Mr R. Garner, Mr A. Luxton, and Councillors Parker, Redhead and Swain

Apologies for Absence: Parish Councillor D. Felix, Mrs A. Morris, and Councillors Murray and Wainwright

Absence declared on Council business: None

Officers present: M. Reaney and A. Scott

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

STC13 MINUTES

The minutes of the meeting held on 8 September 2010, having been printed and circulated, were signed as a correct record.

STC14 DUAL -HATTED MEMBERS AND THE CODE OF CONDUCT

The Committee received a report of the Strategic Director, Resources on Dual-Hatted Members and the Code of Conduct.

Standards for England had recently published an online guide for Dual-Hatted Members, defined as Members who served on two or more relevant authorities, for instance a Member who was both a District and Parish Council Member. The guide particularly focused on when such Members must declare interests and also dealt with the question of pre-determination.

The Committee discussed the potential conflict of interests for such Members and the issue of pre-

Action

determination or bias where Members sat on different bodies which determined matters such as planning applications or other regulatory issues. The Monitoring Officer was asked to identify the existence of any Dual-Hatted Members within the Authority and to forward to them the link for the online guide with an explanatory note.

Monitoring Officer

Of particular interest were scenarios set out within the on-line version of the guidance; Members were advised that these could be completed as individuals or as a group.

RESOLVED: That the report be noted.

STC15 PRESS RELEASE- COMMUNITIES MINISTER

The Committee received a report of the Strategic Director, Resources which advised them of a recent press release from the Communities Minister, Andrew Stunell, which set out his views on the future of the Standards regime.

In the press release, Mr. Stunell indicated that serious misconduct for personal gain would become a criminal offence, and pointed out that the Government would legislate to ensure that, whilst abusing a position for personal gain would result in criminal sanctions, ineffective or irresponsible behaviour would be a matter for the electorate rather than Standards for England. The Committee were advised that a newly empowered Local Government Ombudsman would investigate incompetence on behalf of local people. However, Mr Stunnell also said that the Government would legislate to make it clear that Councillors could campaign and vote freely on their issues.

The Committee discussed the procedures that were in place for handling complaints and Ombudsman investigations within Halton Borough Council. The Monitoring Officer agreed to provide the Committee with a copy of the Ombudsman's Annual Letter.

Monitoring Officer

RESOLVED: That the report be noted.

STC16 STANDARDS FOR ENGLAND - ROUNDUP

The Committee received a report of the Strategic Director, Resources on a Standards for England roundup.

At the September meeting of the Committee, the Monitoring Officer reported verbally on the headlines from

the Standards for England Bulletin No. 48, attached as an Appendix to the report.

The primary thrust of the Bulletin was the future of Standards for England and the Standards Framework. Standards for England set out how they proposed to carry out business pending further legislation on their future. In addition, guidance had been issued on the acceptance of complaints by Standards for England, the abolition of the need for quarterly monitoring returns and the process for the re-appointment of Independent Members

RESOLVED: That the report be noted.

STC17 RECENT CASE SUMMARIES FROM STANDARDS FOR ENGLAND

The Committee received a report of the Strategic Director, Resources on recent case summaries from Standards for England.

The Committee noted and discussed the contents of cases from West Devon Borough Council and Portsmouth City Council.

RESOLVED: That the report be noted.

STC18 DRAFT ACTION LIST

The Committee's Action List was attached for information.

In considering the Action List, the Committee noted that the development of the actions would be dictated by legislation relating to the future of the Standards regime, as well as the impact of financial constraints on local authority budgets.

RESOLVED: That the report be noted.

Meeting ended at 3.35 p.m.