

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

16 JUNE 2011

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION/

Corporate Management and Finance – Lead Cabinet Member – Councillor Harrington

ANNUAL REPORT OF THE STANDARDS COMMITTEE – 2010/2011

1. Summary

This report provides Cabinet with the opportunity to consider the Standards Committee's Annual Report for 2010/2011, which will be presented by the Chair and/or Vice-Chair of the Committee and the Monitoring Officer, and to recommend it to the Council for approval.

2. Recommendations

1. That the Standards Committee's Annual Report be considered and recommended to the Council for approval.
2. That in advance of the Localism Bill becoming law, a report be submitted to a future Cabinet meeting regarding the options available to the Council for introducing a new standards framework, including the adoption of a voluntary code of conduct, once the Bill has been enacted.

3. Reasons for the Recommendations

To ensure that the duties and responsibilities of the Standards Committee, and its work during the past year in connection with the authority's corporate/ethical governance, is brought to the attention of all Members and to as wide a cross-section of Officers as possible.

To ensure the options available to the Council for introducing a new standards framework, once the Localism Bill has been enacted, are considered.

4. Members Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the

public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

AGENDA ITEM

REPORT TO CABINET

16 JUNE 2011

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

Corporate Management and Finance – Lead Cabinet Member – Councillor Harrington

ANNUAL REPORT OF THE STANDARDS COMMITTEE – 2010/2011

Summary

This report provides Cabinet with the opportunity to consider the Standards Committee's Annual Report for 2010/11, which will be presented by the Chair and/or Vice-Chair of the Committee and the Monitoring Officer, and to recommend it to the Council for approval.

RECOMMENDATION

1. That the Standards Committee's Annual Report be considered and recommended to the Council for approval.
2. That in advance of the Localism Bill becoming law, a report be submitted to a future Cabinet meeting regarding the options available to the Council for introducing a new standards framework, including the adoption of a voluntary code of conduct, once the Bill has been enacted.

DETAIL

1. Annual Reports are an important part of the Council's performance monitoring, reporting and planning procedures.
2. Attached as an **Appendix** is the Committee's Annual Report for 2010/11
3. The Report provides an overview of the work of the Committee in the past year. It sets out the Committee's main Statutory responsibilities, summarises how they have been discharged and draws attention to some of the main issues that will require attention in the year ahead. In particular the Annual Report has been prepared in the context of significant changes proposed to the national standards regime, and identified in the Localism Bill.
4. Cabinet is asked to consider the Report, provide any comments it wishes to make on its content and to recommend it to full Council for acceptance.
5. Consultation on the Report has previously taken place with Group Leaders and the relevant Cabinet Member; the Head of Legal Services as Deputy Monitoring Officer;

the Head of Democratic Services; the Corporate Governance Group and the Corporate Management Team. The report will also be presented to the Audit Committee on 27 June. Once agreed the Report will also be placed on the intranet and the internet for the attention of all Members/Officers and will be made available to Town/Parish Councils. A hard copy will, in addition be made available to each member of the Standards Committee.

6. When the Localism Bill becomes law, the current provisions in the Bill will mean that the existing standards regime will cease to operate. The Council will, therefore, need to consider what arrangements should be introduced in place of the existing ones. It is therefore, proposed that a report be submitted to a future Cabinet meeting regarding the options available to the Council for introducing a new standards framework, including the adoption of a voluntary code of conduct, once the Bill has been enacted.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

7. None specified as a result of this report. There will be financial implications inherent in specific elements of the work programme.

Legal

8. Similarly, none arising from this report, but there are legal implications referred to in the Annual Report itself.

RISK ASSESSMENT

9. Matters identified in the Annual Report are assessed separately. This report is a low risk category.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

10. Effective corporate and ethical governance is critical to an authority's performance and to demonstrating continuous improvement. Probity and high standards are an inherent part of corporate/ethical governance, Law and Democracy's Service Plan and the Council Plan. This will continue to be the case even after the Localism Bill proposals have been implemented. The Annual Report and the work of the Standards Committee are concerned with such governance in all of its aspects.

EQUALITY IMPACT ASSESSMENT

11. The Annual Report has not been subject to an assessment. No changes to services or policies are proposed. The Report reflects what has occurred during 2009/10.

CONSULTATION

12. The Annual Report has been produced in consultation with the Chair and Vice-Chair of the Committee, by and on behalf of the Committee itself, and as specified in paragraph 5 of the Cabinet report.

Director of Law & Democracy

Contact Officer: David E Bond

Telephone No: 01642 527061

E-mail: david.bond@stockton.gov.uk

Background Papers:

Ward(s) and Ward Councillors:

Property Implications:

The Annual Report attached

Not Ward specific

None