

Standards Committee

A meeting of Standards Committee was held on Friday, 11th September, 2009.

Present: Mr F W Hayes(Chairman), Mr M Armstrong(Vice-Chair), Cllr Bob Cook(Vice Cllr Coleman), Cllr Paul Baker, Cllr Ken Dixon Mr C.V Algie(Pairsh Representative), Mr T Bowman(Parish Representative), Roger Mosley(Substitute Parish Representative), Mr C. Nestor(Substitute Independent)

Officers: Mr D E. Bond, Mr A. Squires, Miss K. Wannop(LD)

Also in attendance: None

Apologies: Mrs E Chapman, Cllr David Coleman, Cllr John Fletcher

S Declarations of Interest

46/09

There were no declarations of interest.

S Minutes of the Meetings held on 5th June 2009, 1st July 2009 and 30th July 2009

47/09

The minutes of the meetings held 5th June 2009, 1st July 2009 and 30th July 2009 were signed by the Chairman as a correct record.

S Hearings Sub Committee Minutes for Meeting held on 26th June 2009

48/09

Members received the Hearings Sub Committee minutes of the meeting held on 26th June 2009.

S Local Government Ombudsman Complaints 2009/10 - First Quarter

49/09

The Committee considered a report that provided details of complaints received from and determined by the Ombudsman during the first quarter of 2009/10.

In the period 1 April to 30 June 2009 8 complaints had been received from the Local Government Ombudsman. The complaints concerned the following:-

- Unsuitable alterations made to a property for a disabled occupier
- Replacement windows required to properties. Delay in undertaking the works (5)
- Failure to consider individual's social and medical needs properly, resulting in delay in rehousing
- Failure to give proper consideration to an application for direct payments of rent, and having upheld complaint failing to compensate satisfactorily

In the same period, 3 complaints were determined and closed by the Ombudsman.

The matters involved and the decisions taken were as follows:-

- Failure properly to deal with a child in foster care.

A Local settlement had been agreed, principally by the Council agreeing to the appointment of an independent person to assess whether the needs of the child

had been properly met by the Council. The assessment proved positive.

- Dissatisfaction with way permission had been granted for the installation of a telecommunications mast.

The Ombudsman found insufficient injustice to justify an investigation. The Ombudsman's discretion was exercised to close the complaint.

- Unreasonable delay in commencing the process for the compulsory purchase of the complainant's property.

The Ombudsman found no or insufficient evidence of maladministration. The Council had started negotiations to buy the property earlier than it needed to. The Property was not required for development until 2011/12. Attempts to negotiate a value had proved unsuccessful.

RESOLVED that the information be noted.

S 50/09 Observing Council Meetings

Further to previous reports, Members considered a report that provided details of Members' proposed attendance at future Council meetings.

As previously reported, it had been agreed that Members of the Standards Committee would observe standards of conduct at full Council and other meetings, with a view to reporting back to the next available Standards Committee meeting on what they had witnessed. Details were provided of Members' proposed attendance at future Council meetings. The Committee was also asked to agree attendance at the outstanding meetings shown on the Appendix to the report or where only one attendee has so far indicated availability to attend.

RESOLVED that the proposed attendance be agreed and availability for other meeting identified be provided to the Monitoring Officer.

S 51/09 Attendance at Town/Parish Council Meetings

The Committee considered a report that proposed a further round of attendance by Committee Members at Town/Parish Council Meetings in the Borough.

Standards Committee Members had previously attended one or more meetings of each Town/Parish Council in the Borough area as observers. However, it had been approximately 12 months since members attended some of the Town/Parish Councils concerned. It was therefore opportune to arrange a further round of attendance. As discussed at previous meetings of the Committee, attendance at Town/Parish Council meetings had the benefit of continuing to raise the Committee's and Committee Members' profiles at a local level. It also provided Committee Members with a greater awareness of, and insight into Town/Parish Councils' and Councillors' work and the issues they were facing, and vice versa.

Members received an updated version of Town/Parish Council meeting dates, times and venues, the Committee was asked to contact the monitoring officer with meeting dates/times they were able to attend.

RESOLVED that

1. The information be noted
2. Members inform the Monitoring Officer of dates/time they were available to attend meetings.

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52/09

Public Perception of Ethics

The Committee received and considered information relating to the outcomes of the research regarding the Standards for England for public perceptions of ethics. Key findings were highlighted and explained.

RESOLVED that the information be received.

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53/09

Assessment of the Impact and Effectiveness of Ethical Framework

Members received information relating to the outcomes of Research for the Standards for England Assessment of the Impact and Effectiveness of Ethical Framework. Some of the main findings of the research were outlined. Linked to this, it was proposed to carry out research with the Councils Residents Panel regarding public awareness of the Committee and its work.

CONCLUDED that the information be noted.

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54/09

Assessment of the Impact of the Standards Committee

The Committee received a report that sought the Committee's agreement to obtain views from the public regarding the Committee and its work.

The Committee and its work was a means of reassuring members of the public, and instilling confidence in them, that members of the Council had high standards of conduct. A variety of steps had been taken over time to raise awareness of the Committee, its members and the work with which they were actively involved. Using the Council's Viewpoint survey to ask questions about the Committee and its work would help to assess how effective these steps had been. Suggested questions for the survey were provided and Members views were requested. Subject to the Committee's agreement, the next Viewpoint (26) distribution was likely to be during the week commencing 5 October, 2009 with topline results being available during the week commencing 23 November and detailed analysis during the week commencing 7 December. Due to the lead in time necessary for the vetting and finalisation of questions, it was made clear that it may not be possible to include the Committee's questions in that distribution. Failing that, Viewpoint 27 was likely to be distributed during the week commencing 4 January, 2010; with topline results being available week commencing 22 February and detailed results during the week commencing 15 March, 2010.

The Committee agreed the proposed questions.

RESOLVED that

1. the information be noted
2. the proposed questions be agreed.

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55/09 **Local Assessment - Case Studies**

Members were asked to consider and discuss a case study. The Committee considered and discussed the summary and provided their views on what decisions they would have made.

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56/09 **Local Assessment Framework**

The Committee was asked to consider the following information regarding the Local Assessment Framework:-

1. Briefing Note - this was approved and it was agreed that it would be circulated to all Members and Town/Parish Councils.
2. Ethical Standards Clinic (Weightmans) and APE 0423 - this was noted
3. Independent Members Training/Development - 21 July at Middlesbrough - Feedback by the Chair of the Committee was considered and noted.
4. Consideration Sub-Committee - Referrals to the Adjudication Panel - the advice was noted. Agreement of the President of the Panel to accepting a potential referral would have to be obtained either following pre-agenda and before the Committee meeting took place or following an adjournment to the Committee meeting
5. Standards Committee Regulations (Eversheds Briefing) and Standards for England guidance on suspending a Committee's assessment functions - this was noted.

Members received a verbal update from the chair regarding item 3. The Committee was informed that Peter Lucas was the speaker at the event at Middlesbrough and the following points were highlighted:-

- Enabling Scrutiny, Partnerships and Outside Bodies, Procurement and Management, Working with Neighbouring Authorities, Matters beyond the scope of the code, Informal Meetings, Officer Code and Independent Member Forums.

RESOLVED that the information be agreed/noted, as indicated.

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57/09 **Information/Discussion Items**

Members of the Committee considered the following items:-

1. LGO Link 6
2. LGO Annual Report 2008/09 - Case Studies

3. R v Haringey London Borough Council (2009) - Bias/predetermination

4. Parliamentary Standards Act 2009

5. Standards for England Press Release - New Directors

RESOLVED that the information be noted.

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58/09

Standards Committee Forward Plan 2008/2010

Consideration was given to the updated version of the Standards Committee Forward Plan.

RESOLVED that the Standards Committee Forward Plan be noted/received.