

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 18 OCTOBER 2018

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STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 18 OCTOBER 2018

Present:

Councillor B Ridgway Chair

Councillor P Antcliff
“ W Armitage
“ G Butler
“ A Garrett

Councillor K Rouse
“ A Powell
“ S Peters

Councillor Mrs D Ward – Parish Council Representative
Councillor Mrs D Ruff – Parish Council Representative

Also Present:-

S Sternberg - Joint Head of Corporate Governance & Monitoring Officer
M Broughton - Joint Head of Partnerships & Transformation
N Calver - Governance Manager

291 Apologies for Absence

Apologies for absence were received from Councillor S Boyle.

292 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillor W Armitage declared a non-significant other interest in Agenda Item 5(f) – Review of the Constitution: Members Register of Interests as he had a licence to sell alcohol and a premises licence. He remained in the meeting but did not vote on this item of business.

293 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Standards Committee held on 12 July 2018 be approved as a correct record and signed by the Chair.

294 Local Government Ombudsman Annual Review Letter

The Committee considered a report of the Head of Partnerships and Transformation, which reviewed the Annual Review Letter of the Local Government Ombudsman (LGO) attached as an appendix to the report.

The Council received its Annual Review Letter from the LGO on 18 July 2018, which contained information on how many complaints and enquiries had been referred to the LGO and how many complaints were upheld and referred back for local resolution. Members noted that there were 11 complaints and enquiries received in total and that 11 decisions had been made by the LGO as detailed in Appendix 2 and 3 respectively.

Members welcomed the report and expressed their thanks to officers for resolving these matters quickly and to a satisfactory level.

RESOLVED- That the Annual Review Letter of the Local Government Ombudsman be received and the outcomes noted.

295 Review of the Council's Constitution

The Governance Manager presented a report commencing the annual review of the Constitution, working towards adoption of changes before the end of the municipal year to ensure that it was kept up-to-date and in line with legislation and current circumstances.

Members gave consideration to the areas identified for review and concurred that a meeting of the Constitution Working Group be called in order for members of the Standards Committee to give due consideration to all areas of the review in a timely manner.

On consideration of the areas of review as set out in Appendix 1 to the report Members requested that amendments to section 5.10 of the Functions Scheme in relation to the Joint Employment Committee be agreed for submission to Council as part of the full review, subject to consultation with the Unions.

RESOLVED – That:-

- (1) The proposals for amendments to the Council's Constitution as set out in Appendix 1 to the report, as amended above, be supported and submitted to Council as part of the Constitution Review.
- (2) The list of areas of the Constitution for review, as set out in 1.2 of the report, be agreed.
- (3) The Committee conduct a review of the Joint ICT Committee Terms of Reference during the 2018/19 municipal year and request that the Joint ICT Committee feed in to the review at their forthcoming meeting in November 2018.
- (4) A meeting of the Constitution Working Group be set on Friday, 30 November 2018 at 2.00 pm to consider some elements of the Constitution Review and make recommendations to the meeting of Standards Committee in January 2019.

296 Appointments to Outside Bodies

The Standards Committee considered a report of the Joint Head of Corporate Governance and Monitoring Officer, suggesting a possible process for determining which Outside Bodies elected Members be appointed to and how the appointments to

these Outside Bodies could be made as to better reflect their impact on executive or non-executive areas of responsibility within the Council.

It was noted that in preparing for the appointments made in May 2018 at the Annual Council meeting it was revealed that the names of some organisations had changed and that, in addition, the contact information and other details which the Council held about some of those organisations were incorrect. It was suggested that a comprehensive review of what bodies the Council appoints to could remedy this.

It was reported that there were no nationally determined rules that local authorities had to follow when deciding which Outside Bodies they appoint to and who their appointees should be, and therefore the report suggested developing a criterion in order to assess their added value to the work of the Council.

A series of questions were suggested as part of consultation for Members and the Outside Bodies, the responses to which would feed into an exercise that would seek to assess all relevant external organisations, including those which the authority had appointed to and those that it had not.

As part of the review of the Constitution in 2017/18 the Standards Committee agreed, in principle, to recommend that a split between executive and non-executive functions be adopted. In addition it agreed clear criteria that would be required for grouping those Bodies to be appointed by Cabinet and those to be appointed by Council. Members gave consideration to the criterion previously agreed and how it could apply to group Outside Bodies.

Members were supportive of the proposals detailed within the report and welcomed the evaluation of the Outside Bodies to ensure they were properly constituted, that charity numbers were recorded, and that each had a mission statement or aims and purpose.

RESOLVED – That:-

- (1) The Monitoring Officer be requested to undertake a review into the appointments made to Outside Bodies and report the findings to a future meeting of the Standards Committee.
- (2) Following on from the review Standards Committee agree a methodology for making appointments to Outside Bodies for the 2019/20 municipal year.
- (3) The methodology be recommended to Council and Cabinet for approval and adoption in advance of the 2019-20 municipal year.

297 Election Candidates and Campaigns: A Consultation on New Laws

The Monitoring Officer reminded Members that, during the last municipal year, Officers presented a report detailing the Parliamentary Committee for Standards in Public Life findings on Intimidation in the last General Election.

One of the recommendations made by the Parliamentary Committee called for changes to election law to protect candidates and campaigners. It was advised that a

consultation was live and questions within it detailed undue influence, intimidation and a requirement for election law to apply to social media as well as poster campaigns, which was something that the Committee had felt strongly about when considering the initial findings of the review.

In regard to social media it was not clear which laws would apply, however, they were looking to require imprinting on social media literature is currently the case on printed literature.

The Monitoring Officer undertook to circulate a link to the consultation to all Members of Council and Members of the Standards Committee were encouraged to make individual responses.

298 Complaints Update

The Monitoring Officer advised that four complaints had been received, three of which were currently closed. One was currently out for external investigation.

RESOLVED – That the update on complaints be noted.

299 Work Programme 2018/19

Members considered the Work Programme for the municipal year 2018/19 and noted that it was a live document that could be altered as per the Committee's wish.

RESOLVED – That the Work Programme for 2018/19 be noted.

300 Review of the Constitution: Members Register of Interests

The Governance Manager presented a report inviting the Committee to consider whether the Council's Code of Conduct ought to be amended to make it necessary for Members to declare any premises, hackney carriage, private hire or similar related licences which they hold from the Council or other local authorities.

It was explained that there would be several advantages if the requirement was included in the Code of Conduct:-

- It would be prudent, in order that any potential conflicts of interest could be avoided;
- Transparency;
- It would protect Members from any accusations and is in line with the seven Nolan Principles.

Members welcomed the changes proposed and the Chair reiterated the requirements for Members to keep their Declarations of Interest forms updated. It was requested by Members that quarterly updates be issued to them by the Governance Team requesting any changes be reported.

RESOLVED – That:-

- (1) As part of the review of the Constitution, Council be recommended to include in the Code of Conduct a requirement for Members to declare any premises, hackney carriage, private hire or similar related licences to which they or their spouses hold from the Council or other other authorities.
- (2) The Council's Register of Interest form for elected Members be revised accordingly.

301 Urgent Business

Members were advised that there was no urgent business to be discussed in the public session at this meeting of the Standards Committee.

STAND MINS (1018) 2018/AJD