

At a meeting of the STANDARDS COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on 15TH MARCH, 2012 at 11.00 a.m.

Present:-

Mr. G.N. Cook in the Chair

Councillors Shattock, Tate and Wakefield together with Mr. J.P. Paterson and Mr. C. Stewart and Councillor Wilkinson (Hetton Town Council).

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Charlton, Forbes and Hepple (Hetton Town Council).

Minutes of the Last Meeting of the Committee

The minutes of the last meetings of the Committee held on 25th November and 7th December, 2011 (copies circulated) were submitted.

The Chairman drew Members attention to the memo circulated in respect of the Proud of Sunderland Lamppost Banners Project which gave responses to the questions posed by the Committee.

1. RESOLVED that the minutes be confirmed and signed as correct records.

Declarations of Interest

There were no interests declared.

Localism Act 2011 – The Amended Standards Regime

The Head of Law and Governance and Monitoring Officer submitted a report (copy circulated) outlining the changes to the new Standards Regime and recommending proposals in respect of the recruitment of “Independent Persons”, as required by the Act in order for the Council to ensure that appropriate arrangements are in place in readiness for the implementation date of the new legislative provisions that are expected to come into force on 1st July 2012.

(For copy report – see original minutes).

The Head of Law and Governance and Monitoring Officer, Ms. Elaine Waugh briefed the Committee on the report highlighting that the Council must adopt a Code of Conduct dealing with the conduct of its elected and co-opted Members when acting in that capacity and that the Code can contain whatever the Council thinks appropriate provided it is consistent with the Nolan principles and makes appropriate provision in respect of the declaration of interests.

Ms. Waugh advised that the Association of Council Secretaries and Solicitors had passed the draft Code of Conduct it had drawn up to the Local Government Association (the LGA) for consideration and once this had been considered by the LGA, it would be submitted to the Standards Committee for consideration.

Ms. Waugh advised that the Council must put in place arrangements under which written allegations of breaches of the Code of Conduct can be investigated and decisions on them can be made. There was no legislative requirements to have a 'Standards Committee' however whatever arrangements the Council chooses to investigate complaints must include the appointment by the Council of at least one "Independent Person".

Ms. Waugh briefed the Committee on the arrangements for recruiting the Independent Person , the requirements he or she must meet and the role they would undertake.

Ms. Waugh briefed the Committee on the proposals regarding Disclosable Pecuniary Interests advising that the regulations were not yet available.

Ms. Waugh concluded that a meeting of the Standards Committee Chairs and Monitoring Officers in the region would be taking place the following week to discuss the issues and arrangements to be put in place to implement a new regime from 1st July. A report would be submitted to the Standards Committee as more information becomes available and recommendations submitted to the Council for approval.

Members discussed the role the Independent Person was expected to undertake which they felt was difficult to comprehend and they were sceptical as to how this would work in practice. They commented on the valuable role the Standards Committee had played in helping to promote and maintain high standards of conduct in the Authority. Members were of the opinion that currently there was a very clear Code of conduct and penalties for any Member who did not comply. Their view was that the Localism Act was dismantling a well established and successful regime which was respected as being independent from the Council.

Full consideration having been given to the report; it was:-

2. RESOLVED that the Committee recommends to Council that:-

(i) there be two Independent Persons appointed;

- (ii) the appointments be for two years, but with provision to extend for a further three years without re-advertisement;
- (iii) a Panel comprising the Chair and three other members of the current Standards Committee be set up to shortlist and interview candidates and to make a recommendation to Council for appointment; and
- (iv) the Head of Law and Governance, in consultation with the Executive Director of Commercial and Corporate Services, be authorised to finalise the role description and set the initial allowances and expenses for the Independent Persons and to take all necessary steps to progress their recruitment.

The Chairman thanked Members for their attendance and closed the meeting.

(Signed) G.N. COOK,
Chairman.