

STANDARDS COMMITTEE

19th December 2001

PRESENT:-

District Council Members

Councillor Rose (Chair) and Councillor Mrs. Mead.

Parish Members

Mrs. C. Barker and Mr. R. Buxton.

Independent Members

Mr. P. Dawn, Mr. L. Taylor and Mr. D. R. Williams.

APOLOGY

An apology for absence from the Meeting was received from Councillor Bale.

SC/3. APPOINTMENT OF VICE-CHAIR

RESOLVED:-

That Mr. D. R. Williams be appointed Vice-Chair of the Committee for the remainder of the municipal year.

SC/4. MINUTES

The Open Minutes of the Meeting held on 21st August 2001 were received.

SC/5. LAUNCH OF THE STANDARDS BOARD

The Legal and Members' Services Manager reported on his attendance at the regional launch of the Standards Board with the Chair of the Finance and Management Committee, Councillor Wilkins, at Leicestershire County Council on 17th December 2001. Presentations were received from the Chair of the Standards Board, Tony Holland and a member of the Board, Margaret Pratt. Both were keen to stress that this was a joint working arrangement and the partnership between the Standards Board and local Standards Committees. A brief outline was provided relating to the operation of the system and it was noted that to date, four authorities had adopted the Code of Conduct. Other matters discussed involved the possible inclusion of a requirement that when writing to the Standards Board, correspondence also be copied to the Monitoring Officer together with a similar provision for the Monitoring Officer to provide background information to the Standards Board which may enable any such written complaint to be put in context.

SC/6. THE NEW CODE OF CONDUCT FOR MEMBERS

It was reported that the new Model Codes of Conduct for Members of the District Council and Members of Parish Councils had now been received. These had been made on 5th November 2001 and came into force on 27th November 2001.

Part III of the Local Government Act 2000 established an ethical framework for the operation of local government. In accordance with Section 50 of the Act, the Government had now published these model codes of conduct for adoption by both the District Council and Parish Councils. Copies of both documents had been circulated to Members of the Committee.

A model code must be adopted within six months, i.e. before 5th May 2002. If an authority (the District Council or a Parish Council) failed to adopt a code before this date, it would be deemed to have adopted the model code automatically.

This Committee was required to advise the authority and parish councils upon the adoption or revision of the relevant code of conduct. The contents of the model code were compulsory and could not be altered. Members may decide to recommend the inclusion of further provisions but any provisions so included must be consistent with the compulsory elements of the code and the strong advice from both central government and the Standards Board indicated that no such further provision should be included in the code. However, this did not prevent the development of guidance on compliance with the code.

When a code had been adopted, all district and parish council members must provide a written undertaking that they would observe the local code. If they failed to provide such an undertaking within the time limit of two months from the adoption of the code, they would cease to be a member of the particular council.

Members of the Committee considered a draft workplan which set out the proposed timetable. It was acknowledged that a significant amount of work would have to be undertaken to ensure that a fully informed decision on the code of conduct was taken by Members and that such Members together with Officers and Clerks were trained on the new provisions of the code.

It was reported that the Derbyshire Association of Local Councils had already advised parish councils to adopt the model code, which was felt to be very comprehensive. However, the parish representatives considered that training would be required for Chairs of parish councils as well as Clerks. Following a question on whether the code would apply to co-opted Members, the Legal and Members' Services Manager agreed to investigate this accordingly. He also advised that at the present time, overview and scrutiny provisions had been omitted but it was understood that this was an error and would be rectified shortly.

With regard to the Register of Members' Interests, the Legal and Members' Services Manager advised that the District Council's Information Technology Division was currently preparing a database for parish councils, which, hopefully, would be relatively simple to operate. It was anticipated that Clerks to parish councils would assume some responsibility for the maintenance of this register and a report would be submitted to a future Meeting on the operation of this aspect.

It was noted that the Model Codes of Conduct had been circulated to all Members of the District Council and to all parish councils.

RESOLVED:-

- (1) That further consideration be given to the Model Codes of Conduct at the next Meeting of the Committee and parish councils be***

requested to submit any comments on the Code for consideration by the Committee.

- (2) That the workplan attached at Annexe ‘A’ to these Minutes be adopted and progress be reported to future Meetings of the Committee.***

SC/7. TRAINING FOR MEMBERS OF THE STANDARDS COMMITTEE

It was reported that a training session had now been arranged for Members of the Standards Committee and would be held at the offices of Amber Valley District Council, Town Hall, Ripley on Wednesday, 23rd January 2002 at 5.00 p.m.

SC/8. THE NEW CODE OF CONDUCT AND MEMBERS’ TRAINING

It was reported that the provisions of Section 54 of the Local Government Act 2000 advised that this Committee must be responsible for:-

- Promoting and maintaining high standards of conduct by the members and co-opted members of the authority.
- Assisting members and co-opted members of the authority to observe the authority’s code of conduct.
- Monitoring the operation of the authority’s code of conduct.
- Advising, training or arranging to train members and co-opted members of the authority on matters relating to the authority’s code of conduct.

These requirements were reflected in Article 8.02 of the Council’s Constitution and one of the key roles of this Committee was to ensure that Members were properly trained in the requirements of the code. The Committee considered a training programme for the introduction of the code and it was essential that all District and Parish Council Members, including co-opted members together with officers received training on the new Model Code of Conduct to ensure that they were fully aware of their responsibilities.

RESOLVED:-

That the training programme attached at Annexe ‘B’ to these Minutes be approved and adopted.

C.H. ROSE

CHAIR

The Meeting terminated at 7.45 p.m.