



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 11 MARCH 2009 at 5.30pm

P R E S E N T :

Mrs Sheila Brucciani (Independent Member) - Chair
Ms Mary Ray (Independent Member)

Councillor Clair
Councillor Keeling
Councillor Corrall
Councillor Mugglestone
Councillor Thomas

45. APOLOGIES FOR ABSENCE

Apologies were received from Kate McLeod and Councillor Draycott.

46. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and/or declare if Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

47. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Standards Committee, held on 4 February 2009, be confirmed as a correct record.

48. DELIVERING EXCELLENCE

Steve Giacchino, Executive Director, and Neil Sartorio, Programme Director of the Delivering Excellence Team, gave a presentation showing a brief overview of the Delivering Excellence programme to date and the work that was ongoing to transform the organisational structure of the Council in line with the "One Leicester" priorities.

It was explained that the programme started in August 2008 and the team included staff seconded from their substantive posts. The team had been trained in the skills they needed to facilitate the transformation of the Council. Strategic Directors were being appointed and their roles related to the seven

strategic priorities of One Leicester. The work was being carried out in phases and the initial stage had been completed, that included “quick wins.” Work was currently taking place to set up six groups to address specific priority areas. These groups would consist of a Cabinet Lead, Strategic Director and Member challenge. It was emphasized that the Delivering Excellence Team’s function was to facilitate, rather than to deliver the change itself.

Members suggested that the team could gain an insight into what the public wanted from the Council by studying complaints received. Neil said that customer satisfaction was taken into account, but the consistency of the standard of service was also being assessed.

Members asked when the project would be completed, and they were informed that change was continuous. Currently, the team was looking to expand to deal with the substantial programmes that were ongoing. The aim was to mainstream the work of Delivering Excellence into the Council’s organisational development plan. Members asked if the team had met with any opposition and it was explained that opposition often came from a lack of understanding of the aims of the project. In response to Members’ questions regarding the anticipated financial savings, they were informed that the emphasis was on value for money, not just savings. Members made a suggestion that the issue of employees driving vehicles home could be looked into for efficiency.

With regard to the six service improvement groups, Members asked whether they would be affected by potential changes in Cabinet Leads. Members were informed that the political groups would receive regular briefings, which would allow for continuity. Members also asked for clarification of the “member challenge” role on these groups. It was noted that the aim was to ensure a Member-led process. The Independent Members stated that for effective challenge, they felt it was appropriate for these Members to be appointed from opposition groups.

Members asked whether the substantive posts of staff recruited to Delivering Excellence were being filled in their absence. They were informed that currently they were not, but consideration would be given to whether there would be an essential gap left in provision of a service.

The Chair thanked Steve and Neil for their presentation.

RESOLVED:

that the contents of the presentation be noted.

49. REVIEW OF ASSESSMENT CRITERIA - ADDRESSING HEARSAY EVIDENCE

The Standards Committee, at its meeting on 4 February 2009, requested that guidance regarding hearsay evidence be included in the assessment criteria for complaints against Councillors. The Monitoring Officer submitted suggested text for Members to adopt.

Members stated that they wished for reference to be made to “checkable” facts, as well as “tangible.”

RESOLVED:

that the suggested text regarding hearsay evidence be confirmed, subject to the inclusion of the need for tangible and *checkable* facts.

50. STANDARDS ASSESSMENT SUB-COMMITTEE - ASSESSMENT FLOWCHART

The Monitoring Officer submitted a report that presented a flowchart of the questions and issues that needed to be addressed at an Assessment Sub-Committee meeting.

It was noted that the flowchart required further amendment following the previous discussion on hearsay evidence. Members also asked for points 1 to 3 of the flowchart to be “boxed” to match the boxes below. Following discussion, Members also concluded that the sentence, “Refer back to complainant for further information” should be amended, as it was not the role of the initial assessment sub-committee to encourage a review – they were responsible for informing the complainant of the outcome and their right to request a review. Asking the complainant to provide further information would be more appropriate following a request for a review. Officers agreed to look at amending this wording.

RESOLVED:

that the Standards Committee asks officers to amend the flowchart according to the comments above, and that the amended flowchart be used in future assessments of complaints.

51. STANDARDS BOARD FOR ENGLAND BULLETIN NUMBER 42

The Monitoring Officer submitted, for information, the latest Bulletin from the Standards Board for England.

Members discussed the reference to joint standards committees and it was noted that, although this had not been suggested for Leicester, it was an option if it was ever felt to be appropriate. It was considered that it may be useful if an authority received a large number of complaints and wished to share members.

Members discussed the issue of bias in planning decisions, and whether the issue highlighted in the case should be included in the Code of Practice for Development Control Decisions. Members who had been involved in the Planning and Development Control Committee stated that the training they received already made it clear that, in cases of bias and predetermination, they should not take part. It was agreed that further information would be circulated to the committee on this matter and the advice of the Head of Litigation and Advocacy Law be sought to identify whether any stronger guidance was required in the Code of Practice.

Members were reminded that they should indicate whether they wished to attend the annual conference. Some concern was raised that the previous conference appeared to be aimed at officers. It was noted that, as Peter Nicholls had been appointed to the organising committee, this matter could be raised with him.

RESOLVED:

- 1) that the Standards Board for England Bulletin number 42 be noted;
- 2) that officers be asked to investigate the implications of the case law regarding bias in planning decisions, and ascertain whether any amendment is required to the Code of Practice for Development Control Decisions.

52. STANDARDS COMMITTEE WORK PROGRAMME

The Monitoring Officer submitted a report that outlined the current work programme of the Standards Committee.

Members discussed plans to invite certain Members and officers to future meetings. It was confirmed that the Head of Planning and the Head of Litigation and Advocacy Law should be invited to the next meeting, to discuss standards issues relating to planning and regulatory matters. They stated that they wished to invite the Chief Executive to a future meeting to discuss how ethical issues were prioritised within the Council, and what part she played in this, including how she could support raising the profile of the work of the Standards Committee. Members also confirmed that the Leader should be invited to a future meeting.

With regard to item 16 on the work programme it was noted that training for prospective election candidates should be held in advance of May 2011.

Members agreed to include in the work programme consideration of a code of practice for the Licensing Committee. Councillor Thomas, who was chair of the Committee, stated that a proposed code had been rejected by a previous meeting of the Committee. Members considered that an Independent Member could offer to attend a meeting to explain why a code was important. It was also suggested that officers could find out whether other authorities had a code in place.

It was reported to the meeting that the Standards Board for England Quarterly Returns information was not yet available on their website. This information would be submitted to the next meeting. In response to a previous request from Members, analysis of other surrounding local authorities' data would also be included.

Members discussed training they had received regarding investigations. They stated that the training did not include hearings, and suggested that, when they

carried out their first hearing, someone with experience should be invited to attend to offer advice. They also considered whether there would be opportunity for a hearing panel to challenge a report's content and ask for further information in certain areas where necessary.

An update was given on item 7 of the work programme – the Members' register of interests. It was reported that new forms had been sent to all Councillors. They had also been sent electronically as requested. Independent Members would also be asked to fill it in. This would be reviewed annually.

RESOLVED:

that the Standards Committee Work Programme be amended to include the points raised above.

53. DATES OF FUTURE MEETINGS

RESOLVED:

that the proposed dates for future meetings of the Standards Committee be noted and agreed.

54. CLOSE OF MEETING

The meeting closed at 6.58pm.

