



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: THURSDAY, 31 OCTOBER 2002 at 5.30 pm

P R E S E N T :

Mrs Caroline Roberts (Independent Member) (Chair)

Councillor Coley

Councillor Draycott

Councillor O'Brien

5. DECLARATIONS OF INTEREST

Members were requested to declare any interests they may have in the business on the agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applied to them.

No declarations were made.

6. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the Minutes of the ordinary meeting of the Committee held on 9 January 2002 and the special meeting of the Committee held on 29 July 2002, having been circulated, be received, taken as read and signed by the Chair as a correct record.

Under this item, the Committee expressed its disappointment that Councillor Simons had yet to comply with Resolution (4) of the Minutes of 29 July, with regard to offering an apology and an undertaking to future behaviour.

7. COMPLAINTS AGAINST MEMBERS

The Town Clerk submitted a report which updated the Committee on the position with regard to dealing with complaints against Members. It was noted that Regulations had now established the Standards Board for England and most of its procedures. The national provisions for dealing with Complaints against Members now replaced the procedure formerly agreed by the Committee. It was noted that the Regulations concerning arrangements for complaints to be referred back by the Standards Board for England to a Local Authority were still awaited.

It was noted that representations had been made to the Standards Board, expressing concern that no provision was made in the new framework for local input or 'filtering' at the local level where some complaints could be speedily addressed to the satisfaction of the complainant. Under the new arrangements, there was no regard for what the complainant was looking for as an outcome and all complaints, no matter what scale, would potentially take some time to be dealt with, which was not considered in the interests of the complainant or the Member being complained about.

The report suggested an approach to dealing with complaints received, so far as Regulations and Guidance may allowed.

Members raised the following issues:-

- provision of legal representation for Councillors complained about
- time it may take to deal with a relatively trivial matter
- the person complained about wouldn't necessarily know
- no time limits for determination of complaints

RESOLVED:

That, as far as Regulations and Guidance allow, the proposals detailed in paragraph 2.9 of the report, for dealing with complaints, be supported.

8. DISPENSATIONS

The Town Clerk submitted a report informing the Committee of its power to grant dispensations to Members of the Council and voting co-opted members and the arrangements for the process.

It was noted that the circumstances in which dispensations could be granted were now very limited. They were as follows:-

- the Member had made a written request to the Standards Committee explaining why the dispensation is required, and either:
- the business of the Council would be impeded if a dispensation was not granted because the restriction prevented the participation of more than 50% of the Members entitled, or required, to participate in the consideration of the matter, or
- the restriction prevented the Council from maintaining the balance between political groups in considering the matter, that was required by Section 15(4) of the Local Government and Housing Act 1989.

It was noted that the main issue was ensuring that appropriate arrangements were in place to allow the Committee to deal with applications, as it could only be carried out by the Committee and not delegated to an officer. It was noted that 'Applications for Dispensations' would be a standard item on the

Committee's agendas or up to the next 2 meetings and that urgent meetings may be required. It was suggested that a Standards Committee meeting should be pencilled in some time shortly before each Council meeting. It was noted that the current timetable had a Standards Committee the day before Council in January and the ordinary Council in March. However, it was agreed that a special meeting should be convened on Tuesday 4 March 2003, the day before the Budget Council meeting.

Members also stressed the need to get information to all Councillors as quickly as possible, to alert them about the new arrangements.

RESOLVED:

- (1) that the Dispensation Regulations be noted;
- (2) that all Members be asked to review their potential need for dispensations, notably, well in advance of the budget consideration;
- (3) to note that consideration of dispensation requests would appear as an item on the Committee's agenda for all future meetings and also that there was a likelihood of urgent meetings being requested to consider dispensation applications, should there be a change in Members' circumstances;
- (4) that there be a special meeting of the Committee convened on Tuesday 4 March at 4.30 pm.

9. TRAINING AND DEVELOPMENT

The Town Clerk submitted a report proposing a forward programme of training and development for Members of the Standards Committee, Elected Members and officers of the Council, to ensure that matters of probity and standards of conduct were embedded within the organisation.

Members agreed that the declaration of acceptance of office should not be done on election night but should be incorporated in the induction process for new Councillors.

It was suggested that the induction pack should include a list of forms that Councillors were allowed to sign, as a result of their office eg. passport applications.

RESOLVED:

That, including the comments above, the proposed programme of training and development as detailed in the report, be approved.

10. OVERVIEW OF COMMITTEE'S CURRENT ROLE AND WAYS OF RAISING ITS PROFILE

The Town Clerk submitted a report which reviewed the current role of the Standards Committee and ways in which its profile could be raised. Members made the following comments:-

Agreed in principle with the idea of an Annual report to Council but noting that individual cases could not be discussed.

Further clarification was requested on the Audit role, as proposed, before a decision was taken on this.

The idea of a Standards Bulletin in a 'question and answer' format was supported.

Agreed that the Monitoring Officer's report be submitted for information and comment.

RESOLVED:

That the Town Clerk take on board the above comments.

11. AGENDA NOTE: COMPLAINTS RELATING TO ELECTED MEMBERS

It was agreed to take this item in the public session. The Town Clerk tabled a suggested method for the recording of complaints.

RESOLVED:

That the proposals for the recording of complaints be approved.

12. CLOSE OF MEETING

The meeting ended at 7pm.