



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 16 SEPTEMBER 2009 at 5.30pm

P R E S E N T :

Mrs Sheila Brucciani (Independent Member)
Ms Kate McLeod (Independent Member)
Ms Mary Ray (Independent Member)

Councillor Mary Draycott MBE Councillor Keeling

Also In Attendance

Councillor Roger Blackmore The Lord Mayor

84. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Corrall, Scuplak, Shelton and Thomas.

85. DECLARATIONS OF INTEREST

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

86. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

that the minutes of the meetings of the Standards Committees held on 15 July 2009 and 11 August 2009 be confirmed as a correct record.

87. DISCUSSION WITH THE LORD MAYOR

The Chair agreed that this item be taken in conjunction with Item 8 'Ethical Governance Audit Report – Audit Commission'.

The Chair explained that the Lord Mayor had been invited to the meeting to ask questions of and raise issues to the committee and for members to enquire

how the Lord Mayor could assist the work of the committee, particularly in terms of the ethics agenda.

The Lord Mayor stated that one of his primary roles within Full Council meetings was to manage the conduct of Elected Members. He felt that the general level of behaviour within the chamber was good though referred to occasions where had to remind members that particular standards were not being adhered to. He stated that it was imperative to try to be aware of any potential trouble before it occurred, and to liaise with the Director, Democratic Services around any sensitive or awkward issues.

The Lord Mayor also informed the Committee that he had a degree of responsibility for all Members and was expected to encourage all Councillors to engage with particular projects. He stated that there was perhaps a tendency for non-executive members to feel relatively powerless, and that it was his role to promote a sense of inclusion within the chamber. Furthermore, it often transpired that the Lord Mayor provided assistance particularly to new Members. In respect of these points, a Member of the Committee reported that it was easier for Members to play a fuller role within the political system under the old Committee and Sub-Committee model, where Members had a greater chance to Chair meetings, and that this provision was to a lesser degree under the current system.

Members of the Committee welcomed the efforts outlined by the Lord Mayor in relation to attempting to maintain standards during Full Council meetings. The Chair welcomed any form of early intervention that would prevent a breach of the Code of Conduct, which would consequently lead to an investigation.

The Lord Mayor was of the view that most Members of the Public were not directly aware of the role of the Standards Committee and that there was a strong need to raise awareness of how it operated. He also felt that it was important to make the differences between elected members and Members of Parliament publicly clear. Members agreed that it was essential to raise the profile of the Committee and that as part of this, a greater amount of information in relation to standards should be provided on the Council's internet site.

Members asked whether the Lord Mayor thought it would be feasible to tailor training around standards to directly address the individual needs of Members. The Lord Mayor felt that this would be extremely difficult to implement, and was of the view that training needed to encompass more than the code of conduct and that it was generally difficult to train Members around the subject of ethics. He did feel that it was also vital to develop an ethical standards framework for officers as well as Members.

RESOLVED:

That the Lord Mayor be thanked for attending the meeting to discuss standards and ethics with the Council and Full Council meetings.

88. TERMS OF REFERENCE OF THE STANDARDS SUB-COMMITTEES

The Director of Legal Services submitted amended Terms of Reference for the Standards Sub-Committee (Initial Assessment) and Standards Sub-Committee (Review), following comments at a previous meeting of the Standards Committee.

In respect of quorums, it was agreed that the Terms of Reference for Initial Assessment be amended to reflect the same wording used for Reviews.

RESOLVED:

That subject to the above amendment, the Terms of Reference for Standards Sub-Committee (Initial Assessment) and Standards Sub-Committee (Review) be approved.

89. LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION BILL

The Director of Legal Services submitted a report that provided members of the Standards Committee with background on the Local Democracy, Economic Development and Construction Bill currently going through Parliament.

The Members Support Officer explained that it had become a national trend for Council's to become more accountable publicly in relation to standards, and that this was reflected within the Bill. It was further stated that the Bill sought Council's to play a greater role in terms of how partnerships would work by leading on Multi Area Agreements.

The Members Support Officer informed Members that the Bill outlined a more stringent petitions process, which included the introduction of officers being formally called to account through a petition. It was pointed out that the Bill would determine a threshold above which the petition would automatically trigger a debate at Full Council, and this was likely to be 5% of the electorate.

One Member of the Committee was of the view that the Bill could refer to environmental factors, and felt that an individual's local environment often carried an impact.

Members welcomed the references to greater public presentation of petitions, and were of the view that response reports to petitions submitted to the Council should be produced at the earliest possible opportunity.

RSEOLVED:

That the Standards Committee notes the Local Democracy, Economic Development and Construction Bill.

90. STANDARDS BOARD FOR ENGLAND - YEARLY RETURN SUBMISSION STATISTICS 2008-09

The Director of Legal Services submitted a report that provided information on the Standards Board for England's analysis of complaints relating to the Code of Conduct.

Queries were raised around the statistics produced by Nottingham City Council in light of no complaints being submitted between May 2008 and March 2009. The Committee agreed to ask the Monitoring Officer to discuss with the Monitoring Officer, Nottingham City Council about the practice of informal resolution of complaints against Councillors.

Members felt that a level of pragmatism was needed when considering cases to avoid holding unnecessary hearings, whilst ensuring that the role of the Standards Committee was not at any point undermined.

RESOLVED:

- (1) That the report be noted; and
- (2) That the Monitoring Officer be asked to discuss with the Monitoring Officer, Nottingham City Council about the practice of informal resolution of complaints against Councillors.

91. ETHICAL GOVERNANCE REPORT - AUDIT COMMISSION

This item was taken in conjunction with Item 4 'Discussion With The Lord Mayor'.

92. DELEGATED DECISION-MAKING TO CABINET MEMBERS

The Director, Democratic Services gave a verbal outline regarding amendments to the delegated authority that will reside with Cabinet Leads.

The Director, Democratic Services explained that the Leader of the Council was responsible for allocating a specific portfolio of work to each Member of the Cabinet. It was reported that a scheme of delegation had now been formulated which allowed a Cabinet Member to make a decision without it being formally considered by the Cabinet. Furthermore, a Cabinet decision could similarly be delegated to a relevant officer.

In respect of those instances where a decision is delegated to a Cabinet Member, notice of the decision must be made publicly on the Council's website five clear days prior to taking the decision, and that an accompanying report be produced. In addition, the decision must also be considered by a second Member, which in the first instance is the Leader of the Council.

The Director, Democratic Services stated that this process was now formally in place and anticipated that it would become a common decision-making

mechanism for Cabinet Members.

In response to a question by a Member of the Committee, the Director, Democratic Services confirmed that most other local authorities had adopted the process of delegated decision-making to Cabinet Members.

RESOLVED:

That the Standards Committee notes the process of delegated decision-making to Cabinet Members.

93. ANNUAL REPORT TO COUNCIL

The Standards Committee was asked to consider whether it wished to submit an annual report to Council on the work of the Committee, what this report should include, and when they wished this report to be submitted.

Members welcomed the compilation of an annual report, and were of the view that this should outline the achievements of the Standards Committee in 2009. The following achievements were suggested to be included in such a report:

- Attendance of the Chair of the Committee at the Planning and Development Control Committee as an observer.
- Completion of training and workshops for Councillors on the Code of Conduct.
- The Chair attended and assisted with training for Planning and Development Control members.
- Discussions had taken place with the Chair of Standards at Leicestershire County Council about the possibility of joint working and training opportunities.
- All political groups had been trained on bias, pre-deposition and pre-determination.
- Attendance of the Chair of the Standards Committee at the Standards Board for England conference.

Members felt that the report should be written in plain English in order to attract a large public audience. It was further pointed out that the report could be used to display how local rules differed from parliamentary regulations, and would also show that the council took seriously matters around standards.

Members of the Committee felt that the annual report should be submitted to Full Council in January, with a draft version of the report being brought to the Standards Committee in November.

It was further suggested that assistance from the press office should be sought in terms of transforming the annual report document into an article that could be published in the Leicester Mercury.

RESOLVED:

- (1) That an annual report that detailed the achievements of the Standards Committee in 2009 be submitted to Full

Council in January 2010, and that a draft version of the report be brought to the Standards Committee in November 2009; and

- (2) That the press office be asked to assist in preparing an article relating to the Standards Committee Annual Report to be published in the Leicester Mercury newspaper.

94. LGIU POLICY BRIEFING - PUBLIC PERCEPTION OF ETHICS

The Director of Legal Services submitted a policy briefing from the Local Government Information Unit (LGIU) that presented findings of the Standards for England June 2009 research undertaken to monitor and identify changes over time in levels of public trust and expectations in Member conduct.

The Committee generally expressed concern in respect of the public perception of Members, and felt that this was partly due to the recent media attention around MPs Expenses.

RESOLVED:

- (1) That the LGIU Policy Briefing be noted.

95. STANDARDS FOR ENGLAND BULLETIN 45

The Director of Legal Services submits the latest Bulletin from Standards for England.

It was confirmed that Liz Reid-Jones and Peter Nicholls would be attending the 2009 Annual Assembly 'Bringing Standards into Focus' in October.

RESOLVED:

- That the Standards Committee notes the bulletin.

96. STANDARDS COMMITTEE WORK PROGRAMME

The Director of Legal Services submitted a work programme for the Standards Committee for the municipal year 2009-10.

The Members Support Officer explained that the work programme had been amended in light of comments made at the previous meeting, and that specific time-scales had been identified for each piece of work.

It was agreed that an item around a Code of Practise for Licensing would be included in the Work Programme.

It was also agreed that the Leader of the Council be invited to a future meeting of the Standards Committee, in his capacity as the Council's lead on the Partnership Executive, to discuss standards and ethics of Members of the Council.

The Chair agreed to contact Leicestershire County Council in relation to building a 'critical friend' relationship to learn from each other in respect of complaints, as set out in the work programme.

It was also requested that a report be brought to a future meeting which outlined developments in terms of publishing information on standards on the Council's website.

RESOLVED:

That the Work Programme of the Standards Committee be noted and that it be amended following the above suggestions.

97. CLOSE OF MEETING

The meeting closed at 7:14pm.

