



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 24 NOVEMBER 2010 at 5:30 pm

P R E S E N T:

Mrs Sheila Brucciani (Independent Member) - Chair

Ms Kate McLeod
Ms Mary Ray

Independent Member
Independent Member

Councillor Clair
Councillor Keeling
Councillor Potter

Councillor Draycott
Councillor Porter
Councillor Thomas

I N A T T E N D A N C E

The Lord Mayor, Councillor Colin Hall

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21. APOLOGIES FOR ABSENCE

There were no apologies for absence.

22. 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 Act 1992 applied to them.

Councillor Thomas declared a personal interest in respect of Item 8, "Complaint against Councillors – to consider the Investigator's findings," as a relative was in hospital.

Mary Ray declared a personal interest, in respect of Item 8, "Complaint against Councillors – to consider the Investigator's findings," that she was a lay member of the Clinical Ethics Committee of the University Hospitals Leicester. She stated that if the complaint was to be submitted to a hearing she would not take part.

23. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Standards Committee, held on 8 September 2010, be confirmed as a correct record.

24. DISCUSSION WITH THE LORD MAYOR

The Lord Mayor, Councillor Colin Hall, gave a presentation to the Committee regarding his views on standards and ethics in Council. He covered four themes, the current constitutional functions and duties of the Lord Mayor, actions taken since the presentation given to the Committee by the previous Lord Mayor, current challenges faced by the Committee and the Council in the light of constitutional, legal and technological developments, and guidance that should be available to new Members.

Members discussed issues regarding use of surveillance and Regulation of Investigatory Powers Act (RIPA) as a result of a question that had been submitted to Council. They were informed that covert surveillance had to be appropriately approved and such approvals were very stringent. Members felt that guidance on its use should be circulated to Members and officers. The meeting also considered the impact of the Freedom of Information Act (FOIA), noting that it could lead to undue pressure on an authority and could wrongly appear to take precedence over other legislation.

Members considered the role of the Lord Mayor in chairing Council meetings and the opportunity he had to stop discussions becoming inappropriate and potentially leading to a situation that may result in a complaint against a councillor. The Committee requested that a booklet be prepared before the local elections outlining Council etiquette.

The proposed abolition of the Standards regime was discussed, and it was considered that any changes would not come into effect for some time, so the work of the Standards Committee should continue as normal for the time being.

Members discussed issues regarding use of social networking sites and the potential risks. It was agreed that the Director of Information Support be invited to a future meeting of the Committee with a view to officers producing guidance on their use.

The meeting also considered the Lord Mayor's recommendation that the Standards Committee's profile should be raised. It was noted that the committee's website presence had not yet been improved, and the Committee asked that this be considered.

RESOLVED:

- 1) That the Lord Mayor be thanked for his valuable contribution to the discussion;
- 2) That a booklet outlining Council etiquette be produced and be agreed by the Standards Committee;
- 3) That the Director of Information Support be invited to a future meeting of the Committee to discuss the use of social networking, with the view to producing guidance for officers and Members;
- 4) That the presence of the Standards Committee be increased on the Council's website.

25. STANDARDS FOR ENGLAND BULLETIN 48

The Standards Committee considered issues raised in the Standards for England Bulletin 48. It was noted that Standards for England was being passed out and it was agreed that the future of Standards and any potential local arrangements would be discussed at the next meeting of the Committee when more detail about the Decentralisation and Localism Bill was known.

RESOLVED:

That the Standards Committee discusses the future of the Standards regime at the next Committee meeting.

26. PRIVATE SESSION

RESOLVED:

- 1) That the press and public be excluded during consideration of the following report, based on current legislation regarding Standards Committee considerations and in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to any individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 7c

The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

27. COMPLAINT AGAINST COUNCILLORS - TO CONSIDER THE INVESTIGATOR'S FINDINGS

The Director of Legal Services submitted a report that asked the Committee to determine whether an Investigator's report should be referred to a hearing or to the First Tier Tribunal.

Members gave the matter full and detailed consideration and received advice from the Director of Legal Services.

RESOLVED:

That the Investigator's report regarding a complaint against Councillors be referred to Hearing in accordance with the Standards for England guidance.