

STANDARDS COMMITTEE

30th May 2012

Present: Councillors: Andrew Baldwin, David Coldwell, Sheila Matthews,
Claire Vickers

Parish Council Representative: Val Court

Independent Representatives: Eric Blackburn, Paul Byford, Mary
Jagger, David Tilsey

Apologies: Councillors: Brian Donnelly, Godfrey Newman
Parish Council Representative: Isabel Glenister

Also present: Councillor Leonard Crosbie

SC/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Eric Blackburn be elected Chairman of the
Committee.

SC/2 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Mary Jagger be appointed Vice-Chairman of the
Committee.

SC/3 **MINUTES**

The minutes of the meeting of the Committee held on 14th March 2012 were
approved as a correct record and signed by the Chairman.

SC/4 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

SC/5 **ANNOUNCEMENTS**

The Chairman welcomed Selena Saroy, the recently appointed Senior
Solicitor (Monitoring & Standards), to her first meeting of the Committee.

SC/6 **MINUTES OF THE MEETING OF THE LOCAL ASSESSMENT SUB-COMMITTEES OF 4TH APRIL 2012**

The minutes of the meeting of the Local Assessment Sub-Committee held on 4th April 2012 were received.

It was noted that the Chairman and the Monitoring Officer had conducted training with the Member concerned in relation to the Council's rules regarding the use of car parking permits by Members and the Code of Members' Conduct in general.

SC/7 **STANDARDS COMMITTEE REPORTS AND DOCUMENTS AVAILABLE FOR INSPECTION**

The list was noted.

SC/8 **REPORT BY PARISH COUNCIL REPRESENTATIVES**

Val Court advised that the Monitoring Officer had given a presentation on the revised Standards' regime at the most recent meeting of HALC.

SC/9 **THE LOCALISM ACT 2011: UPDATE ON THE REVISED STANDARDS' REGIME AND CONSULTATION ON THE REVISED CODE OF MEMBERS' CONDUCT**

The Monitoring Officer reported that the Localism Act 2011 made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors and the new provisions were likely to come into force on 1st July 2012, although the Order from the Secretary of State was still awaited. The Chairman of the Council had set up a cross party Standards' Liaison Group to work up proposals to enable the Council to comply with the new provisions in the Act, which had been meeting on a monthly basis since December 2011.

As a result of the work of the Group, on 22nd February 2012, the Council had agreed the appointment of one Independent Person and one reserve Independent Person to comply with new statutory provisions and, on 15th May 2012, it had agreed the appointment of a new Standards Committee, arrangements for dealing with Code of Conduct complaints for both district and parish councils, changes to the Constitution, a revised Dispensation Scheme and that the revised Code of Conduct should largely reflect the current code in particular the behavioural aspects contained in paragraphs 3-7.

Recommendations would be made to the Council on 27th June 2012 on the detailed content of the new Code of Members' Conduct to be adopted and the views of this Committee were sought in that respect.

SC/9 The Localism Act 2011: Update on the Revised Standards' Regime and Consultation on the Revised Code of Members' Conduct (cont.)

Details as to what had to be included in the new Code were set out in section 28 of the Localism Act 2011. The Act provided that an adopted code, when viewed as a whole, had to be consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. In addition, the Council had to ensure that its code included provisions the authority considered appropriate in respect of the registration in its register and disclosure of both pecuniary interests and interests other than pecuniary interests.

The Monitoring Officer reported on the history of the Code of Members' Conduct and submitted, for Members' information, the 1974 Code, the National Code of Conduct adopted in 1989, the current Code of Members' Conduct and various templates and illustrative texts that had been prepared by the Local Government Association; the Department of Communities & Local Government; a working group of East and West Sussex District and Borough Council officers; West Sussex County Council; and the National Association of Local Councils.

The Localism Act would also abolish the statutory concepts of personal and prejudicial interests and, instead, regulations would define a new interest called "Disclosable Pecuniary Interests" (DPIs). At present the regulations had not been published but it was considered that DPIs were likely to be broadly equivalent to the current prejudicial interests. It was intended that the revisions to the Register of Interests would also be presented to the Council on 27th June 2012.

The report before the Committee had also been considered by the Chairman's Standards' Liaison Group and Councillor Claire Vickers updated Members on the views of that Group, indicating that the preference had been for the new Code to be as close as possible to both the existing one and that adopted by the County Council. It was also hoped that Parish Councils would adopt this Council's model Code, as the Monitoring Officer would continue to be responsible for dealing with Standards issues arising from the 32 parish councils within the District.

The Committee also considered that a Code as close as possible to both the existing one and that adopted by the County Council would be preferable, both from the point of view of ease of transition and also for the benefit of Members who sat on more than one authority (e.g. District and County or District and Parish). For this reason, it was also considered that the parish councils within the District should be encouraged to adopt the same Code as that eventually adopted by the District Council. Members of the Committee also discussed the composition of the Standards Committee and its sub-committees that would replace the existing Committee when the new Standards regime commenced.

SC/9 The Localism Act 2011: Update on the Revised Standards' Regime and Consultation on the Revised Code of Members' Conduct (cont.)

RESOLVED

- (i) That the matters set out in the report be noted.
- (ii) That it is the view of this Committee that the new Code of Members' Conduct should be as close as possible to both the existing one and that adopted by the County Council and that the parish councils within the District should be encouraged to adopt the same Code as that eventually adopted by the District Council.

REASONS

- (i) To ensure Members of the Council and others to whom the report is circulated are kept up to date with developments flowing from the Localism Act 2011 in relation to standards and member conduct.
- (ii) To comply with the statutory obligations placed upon the Council and its Members set out in Chapter 7 of the Localism Act 2011.

SC/10 **URGENT ITEMS**

There were no urgent matters to be considered.

The meeting finished at 11.00am having commenced at 10.00am.

CHAIRMAN