

## **BABERGH AND MID SUFFOLK DISTRICT COUNCILS**

Minutes of the meeting of the **JOINT STANDARDS COMMITTEE** held in the Cricket Meadow View Room, Council Offices, Hadleigh on 7 June 2012 at 10.30am.

**PRESENT:**

Councillors:	Mr A C Bavington Mr G M Brewster Mrs P M R Godden Mr P Jones Mr R E Kemp
Independent Members:	Mr P J Down (Chairman) Mr A George Mr C A Reeve (Vice-Chairman) Mr M H Rousseau
Parish Representatives:	Miss P F Cook Mrs T Kavvadias

**In attendance:** Monitoring Officer  
Monitoring Officer's Assistant (AH)

### **1 ELECTION OF CHAIRMAN**

It was proposed and seconded that Mr P J Down be elected Chairman of the Joint Standards Committee.

#### **RESOLVED**

**That Mr P J Down be elected Chairman of the Joint Standards Committee.**

### **2 ELECTION OF VICE-CHAIRMAN**

It was proposed and seconded that Mr C A Reeve be elected Vice-Chairman of the Joint Standards Committee.

#### **RESOLVED**

**That Mr C A Reeve be elected Vice-Chairman of the Joint Standards Committee.**

### **3 APOLOGIES**

Apologies for absence were received from Mrs E B Gibson-Harries, Mr A Barrow, Mrs N Willshire and Mr R Feltwell.

### **4 DECLARATIONS OF INTEREST**

It was noted that all co-opted members had a personal interest in [Paper M32](#).

**5 MINUTES**

**RESOLVED**

**That the minutes of the Joint Standards Committee meeting held on [23 April 2012](#) be confirmed and signed as a correct record.**

**6 PETITIONS**

None received.

**7 QUESTIONS FROM MEMBERS**

None received.

**8 CHAIRMAN'S ANNOUNCEMENTS**

None.

**9 EXTENSION OF EXISTING JOINT STANDARDS COMMITTEE COMPOSITION**

The Monitoring Officer gave a verbal update on the extension of the membership of the existing Joint Standards Committee. In view of the pending changes to the Standards regime both Babergh and Mid Suffolk District Councils had at their respective meetings of Council on 24 April and 26 April 2012, agreed that the current Committee would continue as at present until the date upon which section 53 of the Local Government Act 2000 is repealed.

**RESOLVED**

**That the position be noted.**

**10A LOCALISM ACT 2011 – ARRANGEMENTS FOR THE DISCHARGE OF STANDARDS FUNCTIONS**

The Monitoring Officer presented a report (Paper M32) to provide an update on arrangements for the discharge of Standards functions in preparation for the new regime expected from 1 July 2012 and to consider the revised proposed complaints process (Appendix 2 to the report).

The Monitoring Officer advised that interview for the short listed candidates for the roles of the eight Independent persons for Suffolk were due to be held during the week commencing 11 June 2012. It is difficult to see that all aspects of the new regime would be fully in place by 1 July 2012 and it is likely that transitional arrangements may need to be invoked.

There was much discussion amongst the Committee about the future discharge of the Standards function, with the outcome being a strong opinion that the function should continue to be discharged by a Joint Standards Committee rather than by any other Committee and that the Committee should continue to include co-opted Members as they provide transparency and promote public confidence.

**RESOLVED**

The Committee noted the content of the report and agreed that the following recommendations and observation be made in a report to be presented to both Councils:

- (1) That with effect from 1 July 2012, the Councils' standards functions be discharged by a Joint Standards Committee.**
- (2) That the Councils be urged to retain co-opted members on the Committee as they help to provide transparency and the promotion of public confidence.**
- (3) An observation, that at current Babergh rates, a member of the Joint Standards Committee is paid £730 per annum.**

**10B LOCALISM ACT 2011 – REVISED CODE OF CONDUCT FOR MEMBERS**

The Monitoring Officer presented a report ([Paper M33](#)) asking the Joint Committee to recommend the adoption of the Suffolk Standards Code (Appendix 1 to the report) and to agree arrangements for the complaints procedure

The Monitoring Officer advised that draft regulations dealing with the definition of pecuniary interests had been issued by the Department for Communities and Local Government (DCLG) and that the Association of Council Secretaries and Solicitors (ACSeS) had responded to the DCLG, requesting greater clarity in view of the fact that it will be a criminal offence not to declare a pecuniary interest. Appendix A to the Suffolk Local Code of Conduct for Members, showing the description of categories of pecuniary interests, will be updated at the earliest possible date following publication of the final regulations.

It is anticipated that the Suffolk Local Code of Conduct will be promoted by the Suffolk Association of Local Councils (SALC) for use by the Parish Councils.

Members agreed that the report be submitted to both Councils subject to the abbreviations used in the report being expanded.

**RECOMMENDED TO COUNCIL**

- (1) That the Suffolk Local Code of Conduct For Members at Appendix 1 to Paper M33, subject to minor amendments to reduce the use of abbreviations, be adopted in place of the existing Code of Conduct with effect from the [earliest] date prescribed by law and subject to the Monitoring Officer being authorised to make additions in accordance with the law.**
- (2) That the adoption of the Suffolk Local Code of Conduct be publicised on the Councils' websites.**

**(3) That the Monitoring Officer be designated as the Proper Officer under section 33 of the Localism Act 2011 to receive applications for dispensations.**

**11 DECLARATIONS OF INTEREST ETC. – MONITORING REPORT FOR THE PERIOD FOR APRIL 2012**

The Monitoring Officer presented a report ([Paper M34](#)) containing details of interests and gifts declared by Members during April 2012, and also on the assessment of complaints received about councillors' conduct during that period.

**RESOLVED**

**That the information contained in Paper M34 be noted.**

**12 LOCAL CODE OF CONDUCT COMPLAINTS UPDATES**

The Monitoring Officer gave a verbal update on the Code of Conduct complaints currently in progress.

**RESOLVED**

**That the position be noted.**

**13 STANDARDS CASE REPORTS – REPORTS ON RELEVANT CASE LAW**

The Monitoring Officer presented a report ([Paper M35](#)) on the details of a recent High Court decision concerning the application of the Code of Conduct for Members.

**RESOLVED**

**That the information contained in Paper M35 be noted.**

**14 OBSERVATION ON PROCEEDINGS AT COUNCIL/COMMITTEE MEETINGS**

The Chairman of the Committee reported on his and another co-opted member's attendance at recent Committee and Council meetings. No matters of concern were raised.

**RESOLVED**

**That the report be noted.**

**15 ROTA FOR OBSERVATION AT COUNCIL/COMMITTEE MEETINGS**

It was noted that observation on proceedings at Committee and Council meetings beyond the end of June 2012 would fall under the remit of the Committee that would in the future carry out the Standards functions.

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Chairman

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