

REPORT OF THE STANDARDS COMMITTEE

The Standards Committee met on 10 April 2013.

Present Councillor Stogdon (Chairman),
 Councillors Ensor, Healy, Reid and Mrs Tidy

1. Annual Report of the Standards Committee

1.1 In May 2012, the Council adopted a new Code of Conduct to take effect from 1 July 2012. Following the Council meeting in May regulations were made which implemented the parts of the Localism Act 2011 relating to the adoption of the new Code and which set out what constitutes a Disclosable Pecuniary Interest. As a result of the Regulations, the Council at its meeting in July 2012, noted the list of Disclosable Pecuniary Interests and confirmed its decision of May 2012 regarding the new Code.

1.2 The arrangements adopted by the Council included provision for the appointment of at least one Independent Person (IP). The functions of the IP are:

- they must be consulted by the authority before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member
- they may be consulted by the authority in respect of a standards complaint at any other stage: and
- they may be consulted by a member of the authority against whom an allegation has been made.

A recruitment exercise was undertaken during May/June last year and the Monitoring Officer appointed an Independent Person in July.

1.3 Between 1 April 2012 and 31 March 2013 there was one complaint received against a Member of the County Council. The complaint was considered by the Assessment Sub Committee. Further information was required and the matter was therefore referred to the Monitoring Officer for investigation.

1.4 It is considered that the standards of conduct among Members and co-opted members of the Council remain high and maintaining good standards is taken seriously. There was only one case considered by the Assessment Sub-Committee in the period covered by this report, in comparison to one in 2011/12, two in 2010/11 and 4 in 2009/10.

Applications for Dispensation

1.5 In limited circumstances, Members can apply in writing for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. In January 2013, all councillors were advised that there was a debate being held nationally in relation to whether a Councillor's beneficial interest in a property in the authority's area is a Disclosable Pecuniary Interest in relation to setting the Council Tax. In part this situation arose as prior to the Localism Act 2011 there was an express statutory exemption allowing members to participate in the discussion and vote in relation to the setting of council tax or precept. This was not replicated in the Localism Act or subsequent Regulations. Therefore in order to minimise any risk, while the situation is being resolved at a

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national level, the Monitoring Officer advised that affected Members request a dispensation to enable them to participate in any discussion and vote on the relevant item at Cabinet and Council. Following written requests, the Monitoring Officer granted 47 councillors a dispensation.

1.6 All dispensations are entered on the register of Members' interests and remain there for the appropriate period.

Register of Members' Interests

1.7 The Monitoring Officer is required to establish and maintain a register of interests of Members of the Council. All Members have completed and returned their registers and are reminded every six months of the need to notify the Monitoring Officer of any changes. The registers are available for public inspection and are available on the Council's website.

1.8 A register of Gifts and Hospitality is also maintained by the Monitoring Officer. Since 1 July 2012, members have to register gifts and hospitality received with an estimated value of £50 or more. There is an ongoing requirement to keep the information up to date. Councillors must within 28 days of becoming aware of any new registerable personal interest or change to any registered interest, give written notification to the Monitoring Officer.

Training

1.9 Guidance regarding the new standards regime was circulated to all councillors. Following the elections on 2 May, Members will be offered training on the Code of Conduct.

Disclosure and Barring Service (DBS)

1.10 The Committee has considered the issue of DBS checks for councillors and has requested that a report be submitted to the Governance Committee regarding the DBS process and the implications for County Councillors.

1.11 The Committee **recommends** the County Council to –

Y agree the Annual Report

RICHARD STOGDON
Chairman

10 April 2013