

## NOTICE OF MEETING

MEETING	<b>STANDARDS COMMITTEE</b>
DATE:	<b>WEDNESDAY 8 SEPTEMBER 2010</b>
TIME:	<b>7.00 pm</b>
VENUE:	<b>BOURGES/VIERSEN ROOM - TOWN HALL</b>
CONTACT:	<b>Alex Daynes</b> <b>Telephone: 01733 452447</b> <b>e-mail address alexander.daynes@peterborough.gov.uk</b>
Despatch date:	<i>31 August 2010</i>

### AGENDA

### PAGE NO

- 1. Apologies**
- 2. Declaration of Interests (if any)**  
*At this point Members must declare whether they have an interest, whether personal or prejudicial, in any of the items on the agenda. Members must also declare if they are subject to their party group whip in relation to any items under consideration.*
- 3. Minutes of the meeting held on 9 June 2010** **1 - 2**  
*To approve the minutes from the previous meeting.*
- 4. Monitoring Officer's Report** **3 - 8**  
*To receive and comment on a report from the Monitoring Officer*
- 5. Date of Next Meeting**  
*The date of the next meeting to be 3 November 2010 (with a provisional date of 6 October 2010).*



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Alex Daynes on 01733 452447.

## **MEMBERS OF STANDARDS COMMITTEE**

Independent: S Boast (Chairman), A Smith (Vice-Chairman), D Whiles, B Fearon, O Menendez,

Councillors: A Miners, M Todd, N Khan, D Fower and G Murphy

Parish Councillors: P Froggitt and D Batty

Subs: Cllr Z Hussain, Cllr R Dobbs, Cllr N Sandford, Cllr C W Swift and Cllr S Goldspink

Independent: R Nesbitt

### **Emergency Evacuation Procedure – Outside Normal Office Hours**

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.*

Minutes of a meeting of the Standards Committee held at the Bourges Room - Town Hall  
on 9 June 2010

MEMBERS PRESENT:

S Boast (Chairman), A Smith (Vice-Chairman), D Whiles, O Menendez and R Nesbitt  
Councillors A Miners, M Todd, N Khan and G Murphy  
Parish Councillors P Froggitt and D Batty

OFFICERS PRESENT:

Kim Sawyer Deputy Monitoring Officer  
Alex Daynes Senior Governance Officer

**1. Apologies**

Apologies were received from Brenda Fearon.

**2. Declaration of Interests (if any)**

None.

**3. Minutes of the meeting held on 17 March 2010**

The minutes of the meeting held 17 March 201 were approved subject to the addition of Councillor Murphy's apologies for the meeting.

The committee requested the breakdown of the political groups relating to the questionnaire in item 6 of the minutes. The clerk advised that this had been done and was available.

**4. Monitoring Officer's Report**

The Deputy Monitoring Officer introduced the report and advised that only three new councillors had been elected at the recent elections and one of these had been a councillor previously. Therefore, an induction was provided to the three new members.

Training

Councillor Murphy recommended that training was offered to the members of the Planning and Environmental Protection Committee considering new legislation and Planning Acts being produced. The deputy monitoring Officer advised members that the training for the committee was ongoing and did include updates for any new legislation.

The deputy Monitoring Officer suggested that an induction be given to the independent members and the Parish Councillors on the committee on the provisional meeting date of 7 July. The committee **AGREED** to receive induction information on 7 July. The committee further **AGREED** to receive a case study at each meeting to keep up to date with practice in other authorities.

Voting Analysis

It was requested that the planning committee voting analysis at Appendix 2 highlighted the political groups for the members on the committee. Councillor Murphy advised that the analysis

for 09/01317/FUL on 23 March incorrectly showed Councillor C Day as not voting due to the item being in his Ward as this was not in Councillor Day's ward.

### Standards for England

The committee discussed the potential decision from the new government to abolish the Standards for England organisation. The committee supported the suggestion that a local standards committee remained in force and to lobby Council and government to retain local schemes.

### Work Plan

The committee recommended to the deputy Monitoring officer to continue to plan work for the committee as normal in relation to the work plan at Appendix 5. The deputy Monitoring Officer advised that reviews of constitutional policies were being undertaken by legal officers.

The chairman raised concern about the provision of training for Members as the council no longer had a designated training department. Members recommended using dates where meetings were cancelled due to lack of business as training dates for Members; this training should be relevant and use up to date information. Councillor Todd advised that councillors already received training for their roles and received regular email updates on issues and held pre-meeting briefing sessions.

The committee **AGREED** that a survey of committee chairman be conducted on the level of training received for their roles.

Following a request from Councillor Todd, it was **AGREED** by the committee to receive voting analysis for Licensing and Licensing Act 2003 committees at its next meeting.

## **5. Annual Report for Council**

A draft Annual report was submitted for the committee to note and make suggestions for amendments.

Committee members recommended adding a 'looking forward' paragraph to the document to reflect the determination of the committee to continue following any abolition of the Standards for England organisation. A further recommendation was made to display the statistics in paragraph 5.6 as a table or graph instead of as in-line text and also the attendance at the Neighbourhood Councils in December 2009 could be included as an additional task undertaken by the committee.

The committee **AGREED** that the chairman would include an additional paragraph to provide a local determination that the committee should continue especially considering last year's expenses scandal in government.

The Committee further **AGREED** to submit a letter to the Department of Communities and Local Government supporting the continuation of local standards schemes.

## **6. Date of Next Meeting**

The committee **AGREED** to hold a training session on the provisional date of 7 July with the next full committee to be held on 8 September.

CHAIRMAN  
7.00 - 8.00 pm

<b>STANDARDS COMMITTEE</b>	<b>AGENDA ITEM 4</b>
<b>9 September 2010</b>	<b>PUBLIC REPORT</b>

Contact Officer(s):	Helen Edwards, Solicitor to the Council & Monitoring Officer Kim Sawyer Head of Legal & Deputy Monitoring Officer	Tel. 452539 Tel: 452361
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## REPORT OF THE DEPUTY MONITORING OFFICER

<b>R E C O M M E N D A T I O N S</b>
<b>FROM : Deputy Monitoring Officer</b>
That Committee Members:  (1) Note and discuss the contents of this Report; and (2) Formulate any further recommendations as appropriate.

### 1. THE FORMAT OF THIS REPORT

1.1 This report contains the following item for consideration:

- The majority agreement by Full Council on 26<sup>th</sup> July 2010 to move a motion and carry out actions and recommendations in relation to the future of the Standards Committee.

### 2. ITEMS FOR CONSIDERATION

2.1 At a Full Council Meeting on Monday 26<sup>th</sup> July 2010, Councillor Todd introduced the Annual Report of the Standards Committee on behalf of the Independent Chairman. The Report contained three Recommendations namely that Council:

- (1) notes the work carried out by the Standards Committee and endorses and supports the priorities for the coming year.
- (2) agrees to extend the maximum term of office to be served by any independent member to 3 successive terms; and
- (3) agrees to extend the membership of the Standards Committee to include a further parish council substitute member and delegates authority to the Standards Committee to appoint to that position upon nomination by the Peterborough Association of Local Councils.

2.2 There were no movers of the recommendations in the Annual Report but instead Councillor Sanford moved recommendations that Council:

- (1) Notes the work carried out by the Standards Committee;
- (2) Agrees with Government's intention to abolish the current Standards Board Regime; and
- (3) Agrees that the Standards Committee reduces its number of meetings so that it only meets to fulfil its statutory responsibilities until further legislation is passed.

2.3 Councillor Shaheed seconded the motion and following debate, a vote was taken and the recommendations from Councillor Sandford were carried, 31 in favour, 1 against and 6 abstentions.

- 2.4 The current statutory responsibilities of the Standards Committee are set out in the Local Government Act 2000 (“LGA 2000”). The following is of note.
- 2.4.1 Section 54(1) of the LGA 2000 sets out the general duties of the Standards Committee as follows:
- (a) promoting and maintaining high standards of conduct by the members and co-opted members of the authority; and
  - (b) assisting members and co-opted members of the authority to observe the authority’s code of conduct.
- 2.4.2 Section 54(2) of the LGA 2000 sets out the specific duties of the Standards Committee as follows:
- (a) monitoring the operation of the authority’s code of conduct;
  - (b) advising, training or arranging to train members and co-opted members of the authority on matters relating to the authority’s code of conduct.
- 2.5 Members of the Standards Committee are invited to note and discuss the agreed recommendations of Full Council and having regard Section 54 of the LGA 2000 consider how to proceed.

### **3 IMPLICATIONS**

- 3.1 There are no financial or legal implications, other than those contained within the body of the report.

### **4 CONSULTATION**

- 4.1 A copy of this report is sent to each parish council and they are invited to comment upon the contents. Any response from the parishes will be verbally reported to the Committee.

### **5 APPENDICES**

Transcript from Council meeting of 26 July 2010.

### **6 BACKGROUND DOCUMENTS**

None.

## COUNCIL MEETING

26 JULY 2010

### TRANSCRIPT RELATING TO ANNUAL REPORT FROM STANDARDS COMMITTEE AFTER COUNCILLOR TODD HAD PRESENTED THE REPORT AND RECOMMENDATIONS

CONTINUES.....

#### Mayor

Cllr Sandford I understand you wish to move a Motion which is set out in the Members Orders Paper.

#### Cllr Sandford

It's actually an amendment to the proposal which is put forward. I will briefly explain what we want to do.

We want to take note of the work carried out by the Standards Committee and agree with the Government's intention to abolish the Standards Board but we want to reduce the number of meetings that the current Committee holds to the minimum which is required.

It would be very easy just to allow this proposal to go through but we saw at the beginning of the item on the Planning application at the first iteration of this Council meeting the farce that Standards Committee procedures have actually descended to and we had loads and loads of Members having to put their hands up declaring interest and leave the Chamber. Nobody questions the dedication of the Independent Members of the Standards Committee have put forward over almost a 10 year actual period but the system which they have been helping to administer has become a bureaucratic nightmare and a very expensive one.

A recent statement by Andrea Stunnell who is a Local Government .....who is one of the Ministers in CLG said that, 'in the past 12 months the National Standards Board and all its paraphernalia have cost taxpayers almost £8 million and in that time its investigated a thousand complaints, so that is nearly £8,000 for each of the complaints that it has actually put forward and that does not include the burden of expense and bureaucracy that's been imposed on Peterborough City Council and every other local authority in the country by this monstrous and unnecessary quango.

You could actually question what it has achieved, you know we have had some Councils have had cases that have gone on for over a 3 year period and have cost over £0.5 million for an individual case. Responsible hardworking Councillors have had their reputations blighted by scurrilous accusations that have been put forward, but the thing that really makes this ridiculous is all the arguments that we get in to about whether Councillor so and so has a personal interest or whether it is a prejudicial interest and what the net result of all of this is, is that quite often the Councillors that have the most detailed information about a particular case or a particular proposal are the ones that find themselves excluded. Now that is not healthy for democracy.

It has been suggested in this report that we should continue to have a Standards Committee but the national regime ought to be abolished. Now we are not clear precisely what the Government is proposing but the Government has said that the entire regime is absolutely under question. As far as the Liberal Democrat group is concerned we do not want to keep the current Code of Conduct, lets have something nice and simple and straight forward regulating the behaviour of Councillors but not this massive bureaucratic thing, and can I remind you that our Code of Conduct is not something that we have drawn up it is something that has been imposed on us and we need to scrap that and we need to move to a simpler more straightforward system and can I just remind you also just finally those Councillors who were on the Council in the year 2000, can I remind you of what we had when we had our own Committee before the National Standards Board we had the Conservative Group refusing to enforce any recommendations that the Standards Committee put forward. We actually had Councillors making tit for tat accusations, it was not a very pleasant situation and it is not something I would like to see us returning to.

Now it says in the report that the Standards Board wants to keep things as they are, business as usual is the proposal. Well of course they are saying that because their jobs, the jobs of all the people employed by this quango earning hundreds of thousands of pounds, their jobs depends on keeping things the same. Lets take time, lets not continue with the Committee, we have to keep the Committee because it may need to have meetings that may be obliged if somebody makes a complaint then the Committee has to hold a meeting, but lets wait for the Government's proposals to be put forward and then lets see if we in Peterborough can come up with a simpler Code of Conduct and a simpler regime than the beaurocratic monstrosity that has been imposed on us.

**Mayor**

Thank you Cllr Sandford. Do we have a Seconder?

**Cllr Miners**

I wish to second the motion and reserve the right to speak.

**Mayor**

Thank you. Cllr Miners.

**Cllr Miners**

Thank you Mr Mayor.

In my opinion it is essential that a Standards regime of some form is maintained and strengthened locally. We only have to look to our recent past history in Peterborough City Council to acknowledge how important it is to maintain high local Government standards from Councillors. Noting that local Government can sometimes be volatile with some strong personalities it is imperative a strong, well trained committee is kept functioning at Peterborough City Council and meets when it determines it is necessary and not Big Brother.

Thank you.

**Mayor**



Thank you. Cllr Ash.

**Cllr Ash**

I must admit that when I read this I thought that I could support that, then I heard Cllr Sandford speak and he changed my mind. He actually spoke to me against what I thought he was trying to do. I have come to the conclusion from hearing him speak and a couple of things I would like to raise.

He gave me the impression that he thought something there was needed when he was speaking, perhaps I have got that wrong, no doubt when he sums up he can correct me but he also mentioned about planning. Now planning has a *quasi-judicial* role and therefore we are governed by rules and regulations beyond the Standards panel.

**Cllr Sandford**

Just a moment Mr Mayor, I wasn't aware that I was talking about the planning applications, that is an entirely separate issue and I am happy to talk about that but probably don't have the chance to so.

**Cllr Ash**

In that case then I wonder why you mentioned it, so you have totally confused me completely now. You said one thing now you are saying something different. I am not really sure where you are heading and really I think I am inclined to agree with Cllr Miners, I think for our own interests, I think we need something. If we start making up the rules ourselves we are going to be heading the same way that they went in Parliamentary allowances and what not by making up your own rules and I think that is dangerous, so therefore I am afraid I agree with my colleague Cllr Miners and I can't support.

**Mayor**

Cllr Cereste

**Cllr Cereste**

Thank you Mr Mayor.

I wish Nick had not said as much, it was much simpler before he had opened his mouth. The motion before us, actually if you read the motion probably makes sense without all the political rhetoric around it. Obviously we note the work carried out by the Standards Committee, we know that Government intends to change the regime and its absolutely right that until we get a Government that changes the regime we have something in place that makes sure that we don't misbehave. I think that is all the motion says and I don't really know why we are making such a big hash of it. If it's the motion as it is then that probably makes sense but I wish you hadn't said all that rubbish around it Nick.

**Mayor**

Thank you Cllr Cereste.

Here we are talking about the motion that is on the paper in front of you.

Cllr Shaheed you've reserved your right to speak would you like to?

Then Cllr Sandford would you like to sum up.

**Cllr Sandford**

Do I actually have the right to sum up in putting in an amendment?

**Mayor**

We will just check that one out.

**Helen Edwards**

As far as I am concerned Cllr Sandford you actually moved the motion because there was not actually another motion on the table to amend so you do have the right to sum up should you wish to do so briefly.

**Cllr Sandford**

Ok I'll just be very brief because I can see that our colleagues here seem to have some exception to this. I wasn't being political I wasn't aware that I was making any party political point, I was just saying that yes perhaps we do need something in place so that we have got rules that we go by, we've got a Constitution and we've got the Member Officer Protocol. We've got a number of things, but those are the things that we drew up. What we are talking about here is a Code of Conduct that we didn't draw up, one that was imposed on us and I would just ask you to think about how its been operating, the number of times that you are not really sure whether you have got a personal interest or prejudicial interest or whatever. Can I remind you that if you go back to before the 2000 Local Government Act people used to have to leave the room if they had a clear pecuniary interest, so if they would financially benefit from something, and I would just suggest to you something simple like that. That is something that we ought to be aiming for.

**Mayor**

Thank you. Then we will move to the vote.

All those in favour of the motion would you please show.

Thank you.

All those against.

It took a long while to count one.

Anybody abstaining.

Thank you.

That was 31 for, 1 against with 6 not voting so the motion is carried.

Thank you.