

AGENDA ITEM 7

STANDARDS COMMITTEE

5th DECEMBER 2006

**LOCAL GOVERNMENT WHITE PAPER:
STRONG AND PROSPEROUS COMMUNITIES**

RICHARD LONG, DIRECTOR OF LEGAL & DEMOCRATIC SERVICES

Purpose of the Report

- 1 To inform members of the new Local Government White Paper, which sets out the Government's commitment to change the conduct regime in relation to elected Members.

Background

- 2 On 8 May 2006 a report was presented to Committee informing members of the report published by the Office of the Deputy Prime Minister entitled "Standards of Conduct in English Local Government: The Future".
- 3 That report set out in some detail the Government's intentions. Two of the key issues that were addressed were the intention to localise and simplify the regime that applies to Members conduct. This included:
 - ⇒ Simplifying and clarifying the Members' Code of Conduct. At present this is considered by many to be both confusing and overly restrictive in respect of Members' Ward activities. This applies especially to matters relating to licensing and planning applications, and Members' ability to fully represent the interests of their constituents.
 - ⇒ Localising the investigation of complaints relating to Members' conduct. The main recommendation here was that the Standards Board becomes more of a regulatory and advisory body, and that the initial investigation of complaints is transferred to local Standards Committees.
- 4 The report "Standards of Conduct in English Local Government: The Future" acknowledged that legislation would be required to introduce these changes, but that no timetable for the necessary legislation had been identified.

The White Paper

- 5 The White Paper is the next step in the process, and refers to the legislative intentions outlined above. The relevant section from the White Paper (paragraphs 3.46 to 3.49 inclusive) is reproduced at Appendix 1 attached. Since then the Queen's Speech has announced the intention to introduce a new Local Government Bill in the next Parliamentary session. Members will be kept informed of progress.

Recommendations

- 6 That members note the content of the report

Chris Davies
Members' Office Manager
Tel: 729704

Strong and prosperous communities: The Local Government White Paper; Department for Communities and Local Government, 2006

Minutes of the Standards Committee 8 May 2006

Standards of Conduct in English Local Government: The Future – Cabinet Office, December 2005

Minutes of the Corporate Affairs Committee 24 August 2005

STRONG AND PROSPEROUS COMMUNITIES – THE LOCAL GOVERNMENT WHITE PAPER

Department for Communities and Local Government

RECOMMENDATIONS RELATING TO MEMBERS' CODE OF CONDUCT AND STANDARDS COMMITTEES

The following extract is taken from the White Paper published October 2006:

Localise and simplify the conduct regime

- 3.46 All democratic and public governance relies on high standards of probity. When conduct and behaviour are corrupt or improper it erodes confidence in the democratic system. The UK has a strong reputation for high standards in public life and it is important for the future well-being of local government that this is maintained.
- 3.47 The Graham Committee on Standards in Public Life reported in 2005 that the vast majority of councillors observe high standards of conduct. It also concluded that such standards would be more likely to be guaranteed if decision making on conduct issues was devolved to the greatest extent possible to the local level.
- 3.48 Strong and accountable local leadership requires the highest standards of conduct. In December 2005, we consulted on proposals to promote these high standards in local government and to improve the conduct regime, including whether there was support for a more local system for investigating allegations of misconduct. Following this consultation, which showed broad support for the proposals, we will legislate to deliver:
- ⇒ a more locally-based regime, with local standards committees making initial assessments of misconduct allegations and most investigations and decisions made at local level;
 - ⇒ a revised strategic regulatory role for the Standards Board to provide supervision, support and guidance for local authorities and ensure consistent standards.
- 3.49 We will also put in place a clearer, simpler and more proportionate code of conduct for local authority members and a new code for employees. Changes to the members' code will include amending the rules on personal and prejudicial interests to remove the current barriers to councillors speaking up for their constituents or for the public bodies on which they have been appointed to serve. So, for example, in future members of a planning or licensing committee will have more opportunities to represent their constituents on planning or licensing issues that affect their wards. Members will be able to speak and vote on such issues unless their interests in the matter are greater than those of most other people in the ward.