

STANDARDS COMMITTEE

A meeting of the Standards Committee was held on 13 December 2011.

PRESENT: C Nestor, (Chair)
Councillors Davison, C Hobson, Rostron and Taylor
Parish Council Members: Councillors R Macmillan and C Morrish

OFFICERS: M Braithwaite, R G Long.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillor Hussain, Prof. B Footitt and Ms J Kidd.

****DECLARATIONS OF INTEREST**

There were no declarations of interest at this point of the meeting.

**** MINUTES**

The minutes of the meeting of the Standards Committee held on 13 September 2011 were taken as read and approved as a correct record.

A QUICK GUIDE TO BLOGGING

The Director of Legal and Democratic Services submitted a copy of the guidance issued by Standards for England in regard to use of social networking sites. The guidance set out a number of dos and don'ts in relation to acceptable behaviour to be used when blogging. A copy of the guidance had been circulated to all members of the Council with advice that when undertaking this form of activity Members should be mindful of the advice provided.

NOTED

LOCALISM ACT 2011 – STANDARDS REGIME

The Director of Legal and Democratic Services presented a report advising Members that the Localism Bill as reported to the previous meeting had now been enacted a major part of which would come into force in April. The Director provided a briefing note setting out the various issues impacting upon the committee: i.e. abolition of Standards Board and standards committees established under the present system, proposals for local authorities to establish a new committee, to adopt a new code of conduct and to appoint independent members who may not have been an elected member or co-opted member of the Council within the previous 5 year period, nor if they were a relative or a close friend of a member or co-opted member of the authority.

The report provided details of the new requirements for registration of interests, disclosure of interests and the granting of dispensations and also explained that the Act created various offences relating to the above matters including where there is a failure to register interests.

The Director advised that in the near future the Council would be required to consider, amongst other things:

- whether it wishes to base any new code upon the existing code or draft a new code;
- although a Member will need to notify the Council of any pecuniary interests, the Council may also determine what other information should be recorded;
- Council will need to consider which body or officer will be given the delegated authority to decide whether or not to grant a dispensation
- which committee or officer should decide whether or not to investigate allegations against Members and how any hearings are to be conducted.

In discussion on the various changes the general view of the Committee was to support the introduction of a new Code of Conduct.

NOTED

LOCALISM ACT 2011 – PRE-DETERMINATION

In addition to the report referred to in the forgoing minute, the Director of Legal and Democratic Services presented a report updating Members in respect of a change in the law relating to pre-determination arising from the new Localism Act.

The Act sought to clarify the rules to provide for decision-makers such as Councillors to enter into discussions on council matters e.g. planning applications, with an open mind. The Act attempted to make it clear that Councillors could play an active part in local discussions without the threat of legal challenge. Section 25 of the Act, stated that a decision maker is not to be taken to have had, or to have appeared to have had, a closed mind when making decisions just because they previously had done anything that directly or indirectly indicated what their view might be in relation to that matter.

NOTED**LOCALISM ACT 2011 – ABOLITION OF THE STANDARDS REGIME**

The Director of Legal and Democratic Services advised Members that following circulation of the agenda notification had been received from Standards for England that the proposed date for abolition of the Standards Regime was now 31 March 2012. The Board's regulatory role would cease as soon as regulations had been agreed, the expected date for which was 31 January 2012.

NOTED