

STANDARDS COMMITTEE
2 October 2012

Present: Councillor Tittley (Chair)
Councillor Jackson
Councillor Skelton
Alan Cameron (Independent Person)
Peter McCrea (Independent Person)
Peter Purnell (Co-opted Member)
Philip Sunderland (Co-opted Member)

01/12 Appointment of the Chair

Resolved to appoint Councillor Tittley as Chair of the Standards Committee.

02/11 Appointment of the Vice Chair

Resolved to appoint Councillor Jackson as Vice Chair of the Standards Committee.

03/12 Apologies

Apologies for absence were received from Councillor Barker.

04/12 Late Items to be Introduced by the Chair

There were no late items. Following a member's request, however, the Chair invited the committee to reconsider the start time of future meetings.

Resolved to schedule future meetings to commence at 4.30pm.

05/12 Declarations of Interest

There were no declarations of interest.

06/12 Implementation of New Standards Regime

Members received a report from the Director of Legal and Democratic Services regarding the implementation of a new Standards Regime, which in accordance with the Localism Act 2011, came into effect on 18 July 2012. The Director outlined the report, informing the committee of the measures undertaken by the council to ensure compliance with the new requirements.

In relation to the register of disclosable pecuniary interests, gifts and hospitality, the Director explained that the majority of members had returned their submissions, leaving only five responses outstanding. The Director confirmed his intention to send

a reminder to group leaders, copying in their respective chief whips. Completed forms would be uploaded to the council's committee management information system (CMIS) website. The Director reported that members of the Conservation Area Advisory Committee had been briefed on the operation of the new regime and requested to read the Derby City Council Code of Conduct before completing their interests form. The Director would meet with members of the committee on 22 October to answer any outstanding queries and receive completed forms.

In response to a question from the committee, the Director explained that while the code required adherence by all elected members, only non-elected members with voting rights/powers of decision making, were required to comply. This approach would be subject to future review.

The committee discussed how the new regime differed from the former. The Director explained it was anticipated that the number of declarations would be fewer owing to the narrower construction of the new regulations. The potential liability for non-compliance, however, was greater. The Director further explained that a key guiding principle, in identifying a disclosable pecuniary interest, was whether the outcome of the matter under consideration would affect the individual's (or their partner's) financial position; if so, the member should disclose. Once members were familiar with the code, the Director envisaged that it would be easier to work with as there were fewer grey areas when compared to the previous code. The Director clarified that officers would provide advice but the ultimate responsibility to declare an interest remained with each member.

Debate ensued regarding the degree of discretion permitted within the interpretation of the code. A key element was to prevent a member scrutinising their own decisions. In the context of a former cabinet member sitting on a scrutiny board, the committee were keen for the board to benefit from a member's expertise. The Director suggested that it was within a board's powers to invite any person to speak on a matter, including a former cabinet member. The member would be required to restrict their input to answering questions before leaving the meeting room, prior to debate on the matter commencing.

The committee noted that should a member be in doubt, advice should be sought from the Monitoring Officer prior to the meeting. The Director confirmed that he would contemplate the provision of further training and that future training would be more in-depth.

Resolved to:

- 1. note the measures taken to implement the new Standards Regime;**
- 2. request the Monitoring Officer to take all necessary steps to ensure that those elected members who have not returned completed Disclosable Pecuniary Interest forms do so as soon as possible; and**
- 3. monitor the implementation of the Derby City Council Code of Conduct and encourage the provision of further training.**

07/12 Exclusion of Press and Public

Resolved to exclude the press and public during consideration of minute 08/12 under Section 100(A) of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

08/12 Summary of Progress of Complaints

The committee considered a report which summarised the progress and outcomes of the member complaints that were received in the 2011/12 and carried over to 2012/13.

Resolved to note the report.

MINUTES END