

STANDARDS COMMITTEE

Wednesday 2 December 2009

Present:-

Professor B Kirby (Chair)
Councillors Mrs S R Brock, Mrs Danks, D J Morrish, R Smith, Starling and Sterry

(Independent Members)
Andrew Mimmack and Lynda Smith

Also Present

Head of Legal Services and Member Services Officer (SLS)

11 **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting of the Standards Committee held on 3 June 2009 were taken as read and signed by the Chair as a correct record.

12 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

13 **DVD ASSESSMENT STAGES OF A COMPLAINT**

The Head of Legal Services/Monitoring Officer introduced a DVD which Members viewed as a training tool, aimed at Members of Standards Committee to assess complaints about elected or co-opted members. The DVD covered the various stages of the local assessment process, including pre-assessment, assessment, decision and review. She led a discussion on the main aspects of the procedure.

The Chair agreed that the DVD was a useful training tool and he hoped that in time all Members of the City Council would have the opportunity to view it.

14 **STANDARDS FOR ENGLAND INTERVENTIONS, DISPENSATION AND JOINT STANDARDS COMMITTEES**

The report of the Head of Legal Services/Monitoring Officer updated Members on the provisions of the new Standards (Further Provisions) (England) Regulations 2009 (S12009/1255) which make provision for:-

- (a) Suspending the functions of a local authority's Standards Committee where the Committee is failing to perform its functions satisfactorily;
- (b) Extending the power of the Standards Committee to give Members dispensations, where they would otherwise be prohibited from participating in a matter because of a prejudicial interest; and
- (c) Establishing joint Standards Committees.

The provisions were noted, but it was suggested that establishing a joint Standards Committee with another local authority, would not be advantageous to Exeter, because of the low level of complaints involving this Authority's Members.

Members noted the report and authorised the Head of Legal Services/Monitoring Officer to circulate the report to all Members to highlight the new provisions.

(Report circulated)

15

UPDATE ON CASE LAW

The Head of Legal Services/Monitoring Officer circulated details of recent case law involving Members of local authorities from Plymouth City Council, Essex County Council, West Felton Parish Council and Balborough Parish Council. Members found the variety of cases and decisions taken very useful and instructive.

Members noted the report.

(Report circulated)

16

CHAIRMAN'S REPORT - UPDATE ON MEETING WITH GROUP LEADERS

The Chair presented a report which updated Members of the Standards Committee on a recent meeting with the City Council's Group Leaders. This had proved to be a positive experience and helped to fulfill one of the desired areas highlighted by Standards for England's Annual Return.

It was considered appropriate that the Chair of Standards Committee continue to present an annual report to Council, as this would also highlight the importance of the Member's Code of Conduct. Members suggested that a press release could also be issued annually by the Chair of Standards Committee.

Members noted the report.

(Report circulated)

(The meeting commenced at 4.30 pm and closed at 6.00 pm)

Chair