

STANDARDS COMMITTEE

Wednesday 13 March 2013

Present:

Councillor David Henson (Chair)
Councillors Branston, Brock, Laws, Payne and Winterbottom

Also present:

Corporate Manager Democratic and Civic Support, Corporate Manager - Legal and Member Services Officer (SLS)

1 **MINUTES**

The minutes of the meeting held on 28 November 2012 were taken as read, and signed by the Chair as a correct record.

2 **DECLARATIONS OF INTEREST**

No disclosable pecuniary interests were declared.

3 **CODE OF CONDUCT TRAINING**

The Corporate Manager Legal and Monitoring Officer referred to the recent changes in the standards regime as a result of the Localism Act 2011. She also referred to a presentation made to Members on the provisions of the Exeter City Council's Code of Conduct. Members had a mandatory duty to declare their interests on the Register of Interests which had to be available for public inspection and published on the City Council's web site. The main provisions and categories of the Disclosable Pecuniary Interests (DPI's) and Other Interests were outlined. DPI's included any interest relating to a Member's spouse/civil partner or any person with whom the Member is living with as a husband, wife or partner. There were serious consequences for failing to register an interest including prosecution and, a fine of up to £5,000 and disqualification.

The main categories of a DPI related to:-

- Employment, office, trade profession or vocation
- Sponsorship
- Contacts for goods, works or Services with the Council
- Landholdings in the area
- Licences
- Corporate tenancies
- Securities – interests in companies

The category of 'Other interests' applied where the subject matter under debate related to the well being or financial position of the Member, friend, relative or close associate where a member of the public, knowing the relevant facts, would reasonably think the interest was likely to affect Members' judgment of the public interest. There were similar consequences in failing to declare an 'Other Interest', a Member, the subject of a complaint and /or potentially having failed to comply with the Council's Code of Conduct, could be referred to the Group Leader and removed from a particular Committee.

RESOLVED that Members note the presentation.

GENERAL DISPENSATIONS

The Corporate Manager Legal and Monitoring Officer presented a report which outlined the position where, in certain circumstances, a dispensation may be granted to a Member to permit them to take part in the business of the Council even if the Member had a disclosable pecuniary interest relating to that business. Those circumstances relate to when the Council considers that without the dispensation, representation of different political groups dealing with that business would be so unbalanced as to alter the likely outcome of any vote. A guidance note on the General Dispensations granted to all Members and an application for a Dispensation request which would be granted by the Monitoring Officer in consultation with the Chair of Standards Committee was attached to the report.

RESOLVED that Members note the report, and, in particular, the General Dispensations granted to all 40 Members of Exeter City Council for the period 25 February 2013 to 24 February 2017 inclusive, allowing them to take part in specific areas of the business of the Council as set out in Appendix 2 of the circulated report.

(Report circulated)

RECRUITMENT ARRANGEMENTS FOR INDEPENDENT PERSONS

The Corporate Manager Legal and Monitoring Officer referred to the Localism Act 2011, which introduced a new regime for Councils to promote and maintain high standards of conduct amongst Elected Members and Co-opted Members. This included having in place a process for dealing with complaints made under the Council's Code of Conduct. The new legislation provided for a change of emphasis away from the imposition of sanctions and more towards finding agreed resolutions to instances where there had been poor conduct by Elected Members. Councils were required to appoint one or more Independent Persons and involve them in the consideration, taking their views into account over any allegation that an Elected Member had breached the Code of Conduct. Two Independent Persons had been recruited in 2012 as part of the transitional arrangements, but a formal recruitment of two Independent Persons was now required.

A sample recruitment pack was circulated at the meeting for Members' information and comment. It was anticipated that, following a period of recruitment, two Independent Persons would be appointed for a period of four years. The voluntary positions would be advertised through the Chamber of Commerce bulletin, Exeter Volunteer Centre's web site and the City Council's web site.

RESOLVED that following the successful recruitment of the two Independent Persons, the appointment be confirmed at the Annual Meeting of Council in May.

(The meeting commenced at 4.30 pm and closed at 5.25 pm)

Chair