

STANDARDS COMMITTEE

7 MARCH 2013

Present :- Councillor R. Gamble (Councillor) Chairman
Councillor Bartier
Councillor Chapman
Councillor Chuah
Mr Coe (Independent Member)
Councillor Lewis
Councillor Liddy
Councillor Webb
Councillor Willetts

7. Minutes

The minutes of the meeting held on 21 November 2012 were confirmed as a correct record.

8. Localism Act

he Monitoring Officer provided a verbal update on the implementation of the provisions of the Localism Act 2011 in relation to standards.

The Localism Act imposed a requirement for Notices of Registerable Interests to be published on the Council's website. This had been completed in respect of Colchester Borough Councillors and for approximately 90% of parish councillors within the borough. Whilst this was an encouraging level of compliance, there was no sanction that could be imposed to force the return of the outstanding notices.

The Localism Act had put in place new arrangements for handling complaints that Councillors had breached the Code of Conduct. Two complaints had been received since the new arrangements had been introduced and both had been resolved in consultation with the Independent Person, without the need for a formal hearing by the Standards Committee. As a consequence of the new arrangements, the workload for the Committee had lessened considerably.

Cabinet had recently approved the business case for the Universal Customer Contact Fundamental Service Review. The review had looked at the Council's governance arrangements and considered there was no longer a need for a separate Standards Committee. A new Governance Committee was proposed which would take on the standards function, as well as accounts, audit and other governance issues. The Independent Person and Parish Council representatives would be invited to attend the Governance Committee when it considered standards issues. The Parish Council representatives would be non-voting members. The new arrangements provided for a Hearing Sub-Committee of the Governance Committee, replicating the existing Sub-Committee, to deal with allegations referred for investigation.

These arrangements had cross party support and the revised governance

arrangements would be submitted to Council for approval on 20 March 2013. Therefore if these arrangements were approved, this would be the last meeting of the Standards Committee.

The Chairman indicated that he would be meeting with the Leader of the Council and the Chairman of the Colchester Association of Local Councils to discuss the representation of Parish Councils in respect of standards issues.

RESOLVED that the latest position on the implementation of the provisions of the Localism Act 2011 in relation to standards be noted.

9. Recruitment of Independent Persons

The Committee considered a report from the Monitoring Officer seeking approval for the recruitment process for Independent Persons.

The Monitoring Officer reported that most authorities were appointing more than one Independent Person and it was proposed that Colchester Borough Council appoint two Independent Persons. Whilst regulations were silent on the term of office, it was proposed to appoint for a period of four years.

The Committee expressed its frustration that the regulations prevented the appointment of anyone who had been an elected or co-opted members of any Committee in the last five years, therefore ruling out previous independent members of the Standards Committee. Much valuable experience was being lost as a consequence.

It was noted that interviews would be conducted by a Panel comprised of members of the Standards Committee and it was agreed that the membership of the Panel should be Councillors Gamble, Lewis and Liddy. The panel would make a recommendation direct to Full Council.

RESOLVED that:-

- (a) The Committee delegate authority to a Panel comprised from the membership of the Standards Committee consisting of Councillors Gamble, Lewis and Liddy to interview suitable applicants and to make a recommendation to Full Council.
- (b) The draft information and application pack for applicants at Appendix 1 to the Monitoring Officer's report be approved.
- (c) The proposed timetable for the recruitment of the Independent Persons be as follows:-:

- Closing date for applications 22 March 2013
- Short listing week commencing 1 April 2013
- Interviews week commencing 15 April 2013
- Recommendation to full Council 22 May 2013

- Independent Persons in post 1 July 2013

(d) The Independent Persons be appointed for a term of four years.

(e) The Committee's thanks to Derek Coe for his service as the Independent Chairman of the Standards Committee and the Independent Person be formally recorded.