



Minutes of the Standards Committee

11 March 2010

-: Present :-

Councillor Addis, Doggett and Stocks

Town Councillors Killick and Lomas

Independent Members Messers Bastow, Branch, Dalzell and Hutchinson

(Also in attendance: Councillor Lewis)

488. Apologies.

Apologies for absence were received from Councillor Aiton, Town Councillor Henderson and Independent Member Mrs Faryna.

489. Minutes.

The Minutes of the meeting of the Standards Committee held on 26 November were confirmed as a correct record and signed by the Chairman.

490. A Brief Overview of Standards for England's Proposed New Liaison Function "Offering a Helping".

Members received Report 55/2010 which set out the intentions of Standards for England (SfE) to become more proactive with regard to how local authorities carry out their duties in relation to the local standards framework. Report 55/2010 informed Members that there were three main areas which SfE intended to develop their role, these were guidance and advice, liaison and risk based engagement with local authorities. The Deputy Monitoring Officer circulated at the meeting correspondence received from SfE which informed Members that the SfE intended to consult local authorities over the next six months regarding a risk based approach.

The Committee noted that SfE would be consulting on the risk based approach and that a formal response be sought from the Committee upon commencement of the consultation.

491. Local Protocol on Allegations of Misconduct by Members.

Members received Report 56/2010 and were advised by the Monitoring Officer that the protocol combined two protocols, the Local Protocol on Local Investigation and Determination of Allegations of Misconduct by Members and the Local Protocol on Local Assessment of Allegations of Misconduct by Members. The Protocol built upon the experience gained from local investigations and determinations. Members noted Report 56/2010 and suggested some minor amendments be made.

492. Annual Return 2010 – Guidance Notes.

Members noted Report 57/2010 which set out the guidance issued by SfE in preparation for the completion of the SfE Annual Return. Members requested that the completed Annual Return be presented to the next meeting of the Standards Committee.

493. Observation Reports.

Members noted Report 59/2010 which provided the Committee with the comments made in relation to meetings observed by the Independent Members. A Member sought clarification regarding to Members at Council meetings being asked to provide the number that a point of order relates to. The Monitoring Officer advised that when raising a point of order Members are being asked to name the standing order that a Member is alleging has been breached and that the standing orders are found within the standing orders relating to Council meetings.

494. Standards Committee Work Programme 2010/11.

Members received Report 60/2010 setting out the Standards Committee Work Programme 2010/11 which was approved by Council on 10 December 2009. The Monitoring Officer requested Members views regarding the practical implications of the work plan and determine the allocation of tasks and deadlines. Members suggested a small working group be formed to produce an implementation plan and Brixham Town Council's views be sought.

Resolved

That a working group including Councillors Stocks and Addis and Messers Branch and Dalzell be formed to determine the actions required to complete the Standards Committee Work Programme 2010/11.

495. The Adjudication Panel

Members received and noted Report 255/2009 which provided examples of cases where Adjudication Panel Tribunals had been undertaken and would aid Members of Torbay Council's Standards Committee in furthering its objective of making sound and equitable decisions. Members noted that up until November a number of Adjudication Panels had been overturning the decisions of Standards Committees the trend appears to have reverted to decisions of Standards Committees being upheld.

Chairman
