

STANDARDS COMMITTEE
Friday, 23 November 2012

Minutes of the meeting of the Standards Committee held at Committee Room 1, 2nd Floor, West Wing, Guildhall on Friday, 23 November 2012 at 12.00 pm

Present

Members:

Matthew Richardson (Chairman)
Deputy Edward Lord (Deputy Chairman)
Revd Dr Martin Dudley
Alan Graham (External Member)
Felicity Lusk (External Member)
Julian Malins (External Member)
Neil Asten (Independent Person)
Felicity Lusk (Independent Person)

Officers:

Michael Cogher	- Comptroller and City Solicitor
Edward Wood	- Comptroller and City Solicitor's Department
Jacqui Daniels	- Town Clerk's Office
Natasha Dogra	- Town Clerk's Office

1. APOLOGIES

Apologies were received from Deputy Robin Eve, Howard Lederman (Co-opted Member), Anthony Williams (Co-opted Member), Alderman Fiona Woolf, Chris Taylor (Independent Person) and Anju Sanehi (Independent Person).

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 21st September 2012 were agreed as a correct record.

4. STATUS OF CO-OPTED MEMBERS OF THE STANDARDS COMMITTEE

The Committee considered a report of the Comptroller and City Solicitor confirming the legal position of the Committee's four Co-opted Members as regards voting rights and entitlement to stand as Chairman or Deputy Chairman. The report explained that by virtue of section 13 of the Local Government and Housing Act 1989 these Co-opted Members must be treated as non-voting Members, however it would be permissible to adopt a system of informal voting as set out in the report, and there was nothing to prevent a Co-opted Member from being elected as Chairman or Deputy Chairman.

The Comptroller and City Solicitor confirmed that the same legislative provisions applied to other Co-opted Members on City Corporation Committees including the Co-opted Members of the Audit & Risk Management Committee and the Police Committee.

Discussions ensued and Members confirmed that the views of the Co-opted Members were extremely valuable and would continue to be respected. The Committee welcomed the system of informal voting as set out in the report.

In response to a Member's question, the Comptroller and City Solicitor confirmed that, although Co-opted Members could not exercise a Chairman's second or casting vote, nor could they represent the Standards Committee at the Court of Common Council, this did not prevent them from being elected as Chairman or Deputy Chairman.

A Member queried whether the terms 'Independent Members', 'Co-opted Members' and 'External Members' were interchangeable. The Comptroller and City Solicitor confirmed that they were, in this context. However it was agreed for consistency that the term 'Co-opted Members' would be used in the Committee papers. The Co-opted Members were distinguished from the Independent Persons, who have a separate status.

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5. LOCAL DETERMINATION OF COMPLAINTS

The Localism Act 2011 required the City Corporation to have arrangements under which written allegations of a breach of the Member Code of Conduct could be investigated and decisions on those allegations could be taken. Members were asked to discuss the draft handbook which presented guidelines for dealing with complaints submitted to the Committee and a revised version of page 3 of the handbook was laid round the table.

The Comptroller and City Solicitor referred to the revised page 3 of the handbook and confirmed that the informal resolution of some complaints by the Chief Commoner or the Chairman of the Privileges Committee of Aldermen did not prejudice the requirement for all formal written complaints to be dealt with by the Standards Committee.

A Member queried the identity and role of the Monitoring Officer. The Comptroller and City Solicitor confirmed that he was the Monitoring Officer, and outlined his statutory duties. In answer to a further Member's question, it was noted that over a 10-year period the Standards Committee had only considered one complaint, which had been deemed vexatious and had been dismissed by the Committee. Members noted that the arrangements must be flexible to allow Officers to make minor amendments to the handbook to capture and deal with matters arising in the future.

RESOLVED - That approval be given to the Complaints Procedure Handbook subject to the revision of page 3, as laid round the table.

6. GUIDANCE FOR MEMBERS ON OTHER INTERESTS

Consideration was given to the guidance to be provided to Members in respect of other interests. Some initial bullet points were laid around the table. Discussions ensued and it was noted that declaring an interest was a matter of judgement and the decision to declare an interest would remain the responsibility of an individual Member. It was agreed that the Committee should avoid being too prescriptive in the guidance about specific interests that should always be declared, for example a specific value for gifts and hospitality.

It was noted that membership of outside bodies could give rise to a conflict of interest for Members in some circumstances, but could also provide particular knowledge or insight into the matter being debated. It was agreed that the need for transparency was an overriding principle. The Committee requested that the Comptroller and City Solicitor submit to the next meeting some suggested examples of interests that Members would be expected to declare, and those that were not necessary to declare, for consideration.

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7. FUTURE MEETING DATES

Members noted the future dates of Standards Committee meetings.

The Chairman of the Committee informed Members that it was likely that this would be his last meeting on the Standards Committee and particularly thanked the co-opted Members for their useful insight and support during his tenure.

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8. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions on matter relating to the work of the Committee.

9. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no urgent business to be discussed.

The meeting ended at 12.30 pm

Chairman

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