

BRIGHTON & HOVE CITY COUNCIL

STANDARDS COMMITTEE

5.00pm 23 MAY 2008

COMMITTEE ROOM 3, HOVE TOWN HALL

MINUTES

Present: Councillors: Carden, Drake, Fallon-Khan, Kitcat, Lepper and Watkins

Independent Members: Dr M Wilkinson (Chairman),

Rottingdean Parish Council Representatives: Mr J C Janse van Vuuren and Mr G W Rhodes

PART ONE

56. PROCEDURAL BUSINESS

56a Declarations of Interest

56.1 There were none.

56b Exclusion of Press and Public

56.2 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Schedule 12A, Part 5A, Section 100A(4) or 100 1 of the Local Government Act 1972 (as amended).

56.3 **RESOLVED** - That the press and public be not excluded from the meeting.

57. NEW ARRANGEMENTS, RELATIVE TO STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008 FOR DEALING WITH COMPLAINTS MADE AGAINST MEMBERS OF THE COUNCIL

57.1 The Committee considered a report of the Director of Strategy and Governance setting out and requesting Members' agreement to the new arrangements and procedures for the local assessment of ethical standards complaints against Members (for copy of report and supporting annexes see minute book).

- 57.2 The Principal Solicitor tabled an errata sheet setting out errors in the Guidance issued by the Standards Board relative to the Local Assessment of Complaints. The action taken to remedy them was also set out (for copy see minute book). All that appeared necessary for the Appendix to the report relative to errors in the Guidance, was that in Section 4, Paragraph 32, the “not” needed to be deleted in the third sentence. It was explained that the Standards and Complaints Team had posted information on the Council’s website detailing the new arrangements and in “City News”, this also included information appertaining to any complaints made relative to Members of Rottingdean Parish Council.
- 57.3 The Principal Solicitor explained that arrangements to appoint additional Independent Members had been held in abeyance pro-tem as there was new guidance from the standards Board about standards Committees which ought to be considered by the Committee before any additional permanent independent persons were appointed.. Also, in its final form the recent regulations had indicated that in the event that Independent Members of the Committee could not be involved or were precluded from the assessment determination process ; it would be possible to call upon Members of other Standards Committees e.g. Fire Authority. In answer to questions of Councillor Watkins he explained that this would only be used when the Committee was unable to appoint an Assessment or Hearing Panel from its own Members and that the appropriate contacts would be put into place with neighbouring authorities in order for reciprocal arrangements to be put into place.
- 57.4 The Principal Solicitor explained that a further report would be submitted to a future meeting in order to consider the new guidance on standards committees and this would review matters such as the period for which Independent Members would be appointed to the Committee.
- 57.5 **RESOLVED: -**
- (1) That the Committee notes the correction of the errors in the original Guidance
 - (2) That Sections 1 to 6 which form the appendix to the report on Local Assessment of Complaints be amended accordingly to correct any errors which have arisen from using the initial version of the Guidance and that they be approved in that form ;
 - (3) That authority be given to the Director of Strategy and Governance (as Monitoring Officer) :
 - (i) to make the necessary amendments to the arrangements and procedures ; and
 - (ii) To exercise the power in the Regulations to make appointments to the Council’s Standards Committee and Sub Committees of independent person(s) who serve on other authorities’ Standards Committees.

[**Note:** These was all that appeared necessary relative to errors in the Guidance
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(a) No corrections are needed in relation to notification of the Parish Clerk, as mandatory rather than discretionary requirements to notify were included in the proposed procedures; and

(b) However, Section 4, Paragraph 32 requires the “not” to be deleted in the third sentence.

The meeting concluded at 5.30pm

Signed

Chair

Dated this

day of