

**Standards Advisory Committee – Meeting held on Thursday, 3rd October, 2013.**

**Present:-** Councillors Grewal (Chair), A S Dhaliwal, M S Mann, Matloob, Minhas and Strutton

**Co-opted Independent Members:-**  
Ronald Roberts and Alan Sunderland

**Parish Council Members:-**  
Councillor Harjinder Singh Gahir

**Independent Person**  
Fred Ashmore

**Apologies for Absence:-** Parish Councillor Finn

**PART 1**

**1. Declarations of Interest**

None was declared.

**2. Minutes of the last meeting held on 18th April 2013**

**Resolved -** That the minutes of the meeting of the Committee held on 18<sup>th</sup> April 2013 be approved as a correct record.

**3. Welcome to New Members**

The Committee noted two new Parish Council appointments to the Committee:

- Cllr Charles Burke, Colnbrook with Poyle Parish Council
- Cllr Janice Finn, Britwell Parish Council

Neither was present at the meeting.

**4. Arrangements for Co-opted Member and Independent Person appointments**

The Monitoring Officer made an oral report to the Committee on the position regarding the appointment of the Council's Independent Person.

The Committee was reminded that the Localism Act 2011 had introduced a new Standards regime, including provisions for the appointment of an Independent Person for the Council. The late Mike Field had been appointed to this position from 1<sup>st</sup> July 2012 and following his untimely death, had been succeeded by Fred Ashmore (formerly a Co-opted Independent member)

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from October 2012. The intention of the legislation was that the Independent Person should not have been an elected or co-opted member of the Authority in the 5 years prior to appointment, but there had been transitional arrangements to allow such appointments for up to a year. It had been hoped that the transitional arrangements would be extended but this had not happened. As a result, it would be necessary for Fred Ashmore to stand down as the Independent Person and for the Council to commence the process to appoint a replacement.

The Committee expressed its regret at losing the services of Fred Ashmore, but noted he would remain available to advise and assist in the run up to appointment of a replacement. The Council would be required to advertise the position of Independent Person, for persons interested to make application, and for candidates to be interviewed by Group Leaders prior to approval of an appointment by the Council. The Monitoring Officer also reported he was looking into whether there was any scope for sharing the services of an Independent Member with a neighbouring authority.

### **Resolved –**

- (a) That the Monitoring Officer be asked to begin the process to recruit and appoint a new Independent Person for the Council.
- (b) That a formal vote of thanks be offered to Fred Ashmore for his work for the Committee over a number years, both as Independent Person and previously as a Co-opted Independent Member.

## **5. Standards (Determination) Sub-Committee held on 30th July 2013**

The Committee noted that the Standards (Determination) Sub-Committee had met on 30<sup>th</sup> July 2013 to determine an allegation that Cllr Bains had breached the Council's Code of Conduct by failure to disclose pecuniary interest/s on his notification of Disclosable Pecuniary Interests form.

The Committee received the Notice of Determination issued by the Sub-Committee containing its findings.

**Resolved – Noted.**

## **6. Schedule of Activity - Code of Conduct**

The Committee considered a report containing an update of the activity undertaken by the Monitoring Officer in relation to complaints received under the Code of Conduct.

As part of the new arrangements for dealing with complaints coming into effect from 1<sup>st</sup> July 2012, the Council had delegated to the Monitoring Officer the initial decision on whether a complaint required investigation, subject to consultation with the Independent Person. This included an opportunity for the Monitoring Officer to seek to resolve a complaint informally where a formal investigation did not appear to be merited.

The report contained a schedule summarising the 7 complaints received in the period February to September 2013. This distinguished between complaints against Borough and Parish Councillors, and specified the nature of the complaint/area of the Code alleged to have been breached. A number of the complaints related to issues at Parish Councils which, as indicated by the Monitoring Officer, could be resolved through good Chairmanship of meetings backed by the support of a Parish Clerk with a good knowledge of their role. Useful advice, assistance and access to training was available from the National Association of Local Councils and the local Berkshire Association of Local Councils and complainants and Parishes had been reminded of the this.

The Committee noted that with one exception, none of the complaints had merited formal investigation and subsequent referral to the Sub-Committee for determination. Where complaints were settled informally, they were usually completed with three weeks of receipt, avoiding the substantial use of time and resources. There were two cases where the Monitoring Officer had declined to take matters further unless corroborating evidence of the alleged misconduct could be provided by the complainant. In neither case had this been received. The Committee considered there was merit in giving a deadline for the receipt of such evidence.

**Resolved** - That the report be noted.

## **7. Openness and Transparency on Personal Interests**

[The Chairman allowed this as an urgent item since it concerned new Guidance issued since the agenda was published].

The Committee was informed that the Department for Communities and Local Government (DCLG) had just issued amended guidance on openness and transparency on personal interests – to include registration of trade union membership. This made two minor revisions to the guidance as previously issued, and referred to the requirement to make a specific disclosure of your trade union membership, in adherence with the Seven Principles of Public Life. A copy of the new Guidance was tabled for the Committee.

The Committee noted that the amended Guidance raised no issue not covered by the Council's existing arrangements. The form for notification of Disclosable Pecuniary Interests (DPI) already had a note indicating that under 'Sponsorship', any payment or financial benefit from trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 should be declared. The separate form for non-statutory interests – pecuniary and non-pecuniary interests included a section for registering membership of 'Any body one of whose principal purposes includes the influence of public opinion or policy', with a specific note that this should include any political party or trade union.

A general discussion ensued and Members expressed views about need for declarations of interests in certain circumstances.

**Resolved –**

- (a) That the new Guidance be noted; and
- (b) That a general reminder be issued through the Members' Bulletin, drawing attention to the new Guidance and requesting Members to ensure that their notifications for the register of interests are accurate and up to date.

**8. Members Attendance Record**

**Resolved -** That the Members' attendance record be noted.

**9. Date of Next Meeting**

The date of the next meeting was confirmed as 21<sup>st</sup> January 2013.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.28 pm)