



London Borough of Hammersmith & Fulham

Standards Committee Minutes

Wednesday 20 July 2011

PRESENT

Committee members: Councillors Nicholas Botterill, Lisa Homan and Donald Johnson

Independent members: Joyce Epstein (Chairman)

Officers: Kayode Adewumi (Head of Governance and Scrutiny) and Gary Marson (Principal Committee Coordinator)

The commencement of the meeting was delayed by 15 minutes in order to ensure a quorum.

1. ELECTION OF CHAIRMAN

RESOLVED that;

Joyce Epstein be elected Chairman of the Committee for the 2011/12 Municipal Year.

2. MINUTES

RESOLVED that;

The minutes of the meeting held on 24 March 2010 be confirmed and signed as an accurate record of the proceedings.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Adronie Alford and Stephen Cowan and Grace Moody-Stuart and Steven Moussavi.

4. DECLARATION OF INTERESTS

All members of the Committee in attendance declared a personal interest in the item concerning Members allowances since it set out details of the payments each had received from the Authority in 2010/11. As the interests were not prejudicial each Member remained in the room and participated in the debate thereon.

5. FUTURE OF THE STANDARDS REGIME

The Committee received details of the Government's proposals, contained in the Localism Bill, to abolish the Standards Board Regime.

Member noted that the Government was of the view that the standards regime had become a vehicle for malicious and frivolous complaints which damaged the reputation and standing of local government and wasted public funds. It cited the fact that of over 6,000 complaints investigated by local Standards Committees in the first two years of local assessment arrangements, fewer than half were deemed worthy of action. Members noted that the system appeared not to have been abused at Hammersmith & Fulham with only a handful of complaints submitted and just two from members of the public. It was recognised, however, that some authorities were overburdened with vexatious allegations.

The Localism Bill, which was due to receive Royal Assent in the Autumn, therefore contained clauses which would revoke the model code of conduct for Councillors, remove the requirement for local authorities to maintain a statutory Standards Committee and abolish the Standards Board for England. Potential savings nationwide were estimated at more than £6m per annum. It was intended, however, that Councillors would still be required to register certain personal interests in a publicly available register whilst deliberate failure to withhold or misrepresent an interest would become a criminal offence. The existing statutory framework continued to apply in the interim.

Members discussed the options the Council could explore for the management of complaints against Councillors if the proposals were enacted. It was noted that some authorities were giving consideration to the development of voluntary local codes of conduct in which a Standards Committee would continue to operate on a discretionary basis. This would have no enforceable sanctions but might retain the power of censure. Alternatively, if no Standards Committee was maintained residual functions could be passed to other Committees – Members suggested either the Audit Committee, which already had powers to investigate corporate fraud, or the Scrutiny Board. The Council could also agree that any code of conduct be enforced via the Monitoring Officer and Whips alone. As a minimum some means of filtering complaints to determine which were worthy of reference to the Police for investigation was required. In the absence of a Standards Committee this role would be likely to fall to the Monitoring Officer.

Members emphasised the need for a transparent system that retained the confidence of the public and did not allow for the possibility of 'behind closed door' solutions. Councillor Botterill expressed a preference for an independent led external process.

The Committee's views on the preferred approach would be formally sought later in the year once further details of the new arrangements were known.

RESOLVED that;

- i) the report be noted; and

- ii) the Monitoring Officer draft detailed proposals for the Committee's consideration once the Localism Bill receives Royal Assent

6. MEMBERS ALLOWANCES OUTTURN REPORT 2010/11

The Committee received details of the Members allowances scheme for the 2011/12 Municipal Year together with the amounts paid to each elected Member of the Authority and co-optee in 2010/11. It was noted that allowances remained frozen in line with 2008/09 levels. No new Special Responsibility Allowances had been created for the current year and co-optees allowances had been reduced to reflect a trend towards fewer meetings.

RESOLVED that:

the 2011/12 Members Allowances Scheme and the 2010/11 allowances outturn be noted

7. LOCAL ASSESSMENT OF COMPLAINTS

The Committee reviewed the activity of the Assessment and Review Sub-Committees in respect of the determination of complaints against Members for the period since March 2010. Three complaints had been received during that time, two of which had been found not to relate to a breach of the Code of Conduct.

RESOLVED that;

the report be noted.

Meeting started: 7.15 pm
Meeting ended: 7.36 pm

Chairman

Contact officer: Gary Marson
Principal Committee Co-ordinator
Councillors Services
☎: 020 8753 2278
E-mail: gary.marson@lbhf.gov.uk