

STANDARDS COMMITTEE

—Minutes—

29 OCTOBER 2003

Present:

Mr.Christopher Troke (Chair)
Mr.Steven Moussavi
Ms.Rafela Fitzhugh
Councillor Colin Aherne

ITEM		ACTION BY
Item 1	<u>APOLOGIES FOR ABSENCE (IF ANY)</u> Apologies for absence were received from Councillors Allen & Botterill.	PAD/JPC to note for Minutes
Item 2	<u>MINUTES – 30 JULY 2003</u> <u>RESOLVED:</u> That the Minutes of the meeting held on 30 July 2003 be confirmed and signed as an accurate record.	PAD/JPC to note
Item 3	<u>DECLARATIONS OF INTEREST</u> There were no declarations of interest made at this meeting of the Committee.	
Item 4	<u>SCHEME OF ALLOWANCES</u> The Committee received a report on the members' Scheme of Allowances, which had been agreed by the Full Council on 24 September 2003. Amongst its provisions, the agreed Scheme provided for the payment to Independent Members of the Standards Committee of the sum of £400 per annum (i.e.£33.33 per calendar month gross) in recognition for their contribution and time given over to the work of the Committee. As agreed by the Council, payments would be back-dated to May 2003 (i.e. the start of the new Municipal Year), and would be up-rated annually by the same percentage increase as the national Local Government Pay Award until the next review of the Allowances Scheme in 2007/8 financial year.	

Independent members on the Committee were asked to provide details of their NI number and bank account details, which should be sent (on a strictly confidential basis) to the Clerk to the Committee so that the details could be entered on the Council's automated payroll system, enabling direct payment to their bank accounts on a monthly basis via BACS.

PAD/JPC to note and action with Central Admin. once details received.

RESOLVED: That the report on the Scheme of Members' Allowances be noted.

Item 5 **S.113 – LOCAL GOVERNMENT ACT 2003**

The Committee received a report on the operation of s.113 of the Local Government Act 2003, which had received Royal Assent and had become law on 18 September 2003.

s.113 of the Act concerned new powers given to Standards Committees which would enable them to establish Sub-Committees for the purpose of delegating the carrying out any of their functions. This could, for example, be considered in relation to the granting of dispensations, or in the determination or investigation of locally referred allegations of misconduct from the Standards Board for England, or for "urgency". Any Sub-Committees so established would be appointed from the membership of the parent Committee, which would also determine the number of members appointed and the length of their term of office.

Monitoring Officers were similarly given powers to delegate their functions to another person (whether internally in the authority or externally) in those cases where they felt conflicts of interest might otherwise arise. This power of delegation could also be sub-delegated onwards by that person if further conflicts of interest arose.

The Committee noted that, in accordance with the Act, both these new powers would come into force two months after enactment of the LGA 2003 – i.e. on or after 18 November 2003.

The Committee, in noting its new powers, was minded at this juncture not to exercise the power to establish any Sub-Committees, as the quorum of the main Committee itself remained as 3 members (one of whom had to be an independent), which at present did not seem to present any difficulty in achieving.

The Committee also felt itself to be ready to begin conducting determination hearings, were any to be referred down to it from the Standards Board for England.

Monitoring Officer(s) to note

RESOLVED: That the new powers of delegation given to Standards Committees and Monitoring Officers, as set out in s.113 of the Local Government Act 2003, be noted.

Item 6 **TRAINING EXERCISE FOR STANDARDS COMMITTEE MEMBERS**

The Committee observed a training video provided by the Standards Board for England, and participated in a training exercise. The video and training exercise covered the following key areas of the Code of Conduct:

- Declaration of interests & duty to inform
- Appropriate allegations
- Personal & prejudicial interests
- Investigation process

Item 7 **ANY OTHER BUSINESS**

a) Ms.Fitzhugh requested whether the meeting of the Committee scheduled for 4 May 2004 could possibly be brought forward to a date in April 2004, as she was likely to be in hospital giving birth at that time.

PAD/JPC to arrange change of date with Chair & Chief Whip.

b) Mr.Moussavi requested that he be sent a copy of the Standards Board Guidance booklet "Standards Committees Determinations" for information.

PAD/JPC to action.

c) Noted that the 3 independent members would be meeting their counter-parts at a meeting of West London Alliance (WLA) Standards Committee members on 13 November in Brent.

The WLA comprised (in addition to LBHF) the Boroughs of Brent, Ealing, Harrow, Hillingdon, & Hounslow. This informal meeting had been organised by the independent Chair of L. B. Brent's Standards Committee as a means of raising and discussing matters of common interest or concern with other WLA members, and would involve a guest speaker (Anne Rehill) from the Standards Board for England.

Meeting Ended: 8.06pm

CHAIR