

# **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

6th July 2017

## **MONITORING OFFICER'S REPORT – STANDARDS REGIME**

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management
Portfolio Holder consulted	No
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards affected	All Wards
Ward Councillor consulted	N/A
Non-Key Decision	

### **1. SUMMARY OF PROPOSALS**

- 1.1 This report sets out the position in relation to key standards regime matters which are of relevance to the Audit, Governance and Standards Committee since the last meeting of the Committee on 27th April 2017.
- 1.2 It is proposed that a report of this nature be presented to each meeting of the Committee to ensure that Members are kept updated with any relevant standards matters.
- 1.3 Any further updates arising after publication of this report, including any standards issues raised by the Feckenham Parish Council Representative(s), will be reported by the Monitoring Officer (MO) at the meeting.

### **2. RECOMMENDATIONS**

**The Committee is asked to RESOLVE that**

- 1) subject to Members' comments, the report be noted; and**
- 2) the membership of the Hearings Sub-Committees, as detailed at paragraph 3.11 of this report, be agreed.**

### **3. KEY ISSUES**

#### **Financial Implications**

- 3.1 There are no financial implications arising out of this report.

#### **Legal Implications**

- 3.2 The Localism Act became law on 15th November 2011. Chapter 7 of Part 1 of the Localism Act 2011 introduced a new standards regime effective from

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1st July 2012. The Act places a requirement on authorities to promote and maintain high standards of conduct by Members and co-opted (with voting rights) Members of an authority. The Act also requires the authority to have in place arrangements under which allegations that either a district or parish councillor has breached his or her Code of Conduct can be investigated, together with arrangements under which decisions on such allegations can be made. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 were laid before Parliament on 8th June 2012 and also came into force on 1st July 2012

## **Service / Operational Implications**

### Member Complaints

- 3.3 Since the last meeting of the Committee one Member to Member Borough Council complaint has been received. This is in the process of being reviewed as part of the initial local resolution process.
- 3.4 The formal investigation which into the complaint reported at the last meeting has now been completed. The MO is meeting the Independent Person to determine the most appropriate course of action in this regard.

### Member Training

- 3.5 No Member training events have taken place since the last meeting of the Committee.
- 3.6 As there have been no Borough Council elections this year training for Members will be provided where necessary, and when requested either through Group Leaders and/or the Member Support Steering Group. If any training is requested by individual Members one to one sessions will be provided.
- 3.7 A programme of planning training for the Redditch and Bromsgrove Parish Councils is currently being rolled out – as detailed at 3.8 below.

### Parish Council training

- 3.8 The shared Planning Team at Redditch Borough Council and Bromsgrove District Council are currently rolling out a programme of planning training for the Parish Councils within the Borough and District. A two hour session on permitted development matters, Green Belt Policy and how Parish Councils should be responding to planning application consultations is being offered to all of the parish councils. The team delivering the training are happy to go out

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to a venue local to the parish councils or to arrange for the training to take place at Parkside or the Town Hall. Very positive feedback has so far been received from those parishes which have undertaken the training.

## Hearings Sub-Committees

- 3.9 As part of the Council's Arrangements for Managing Standards Complaints under the Localism Act 2011 Hearings Sub-Committees exist, the membership of which needs to be agreed annually by the Committee should a complaint reach hearing stage.
- 3.10 As previously agreed, the chairing of the Hearings Sub-Committees will vary according to the circumstances of the Hearing (Labour Chair for a hearing about a Conservative Member and Conservative Chair for a hearing about a Labour Member).
- 3.11 The parent Committee of the Hearings Sub-Committees – previously the Standards Committee and now the Audit, Governance and Standards Committee – establishes membership of the Sub-Committees. Based on the same formula which was previously applied the proposed Sub-Committee memberships are set out below, which Members are asked to approve.

### Hearings Sub-Committee 1

Cllr Potter (Chair), Cllr Brookes and Cllr Shurmer.

### Hearings Sub-Committee 2

Cllr Witherspoon (Chair), Cllr Chalk and Cllr Thain.

### Hearings Sub-Committee 3

Cllr Baker-Price (Chair), Cllr Y Smith and Cllr Fry.

## Customer / Equalities and Diversity Implications

- 3.12 There are no direct implications arising out of this report. Any process for managing standards of behaviour for elected and co-opted councillors must be accessible to the public. Details of the Member complaints process are available on the Council's website and from the Monitoring Officer on request.

## **4. RISK MANAGEMENT**

The main risks associated with the details included in this report are:

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- Risk of challenge to Council decisions; and
- Risk of complaints about elected Members.

## **5. APPENDICES**

None

## **6. BACKGROUND PAPERS**

Chapter 7 of the Localism Act 2011.

Various reports to, and minutes of, Council and Committee, as detailed in the report.

## **AUTHOR OF REPORT**

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