

**Audit, Governance
& Standards Committee
2021**

15th April

MONITORING OFFICER'S REPORT

Relevant Portfolio Holder	Councillor David Thain (Governance)
Portfolio Holder Consulted	No
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Property Services
Report Author Claire Felton	Job Title: Head of Legal, Democratic and Property Services Contact email: c.felton@bromsgroveandredditch.gov.uk Contact Tel: 01527 881429
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An effective and sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Audit, Governance and Standards Committee is asked to RESOLVE that: -

subject to Members' comments, the report be noted.

2. BACKGROUND

- 2.1 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 update provided at the meeting of the Committee in November 2020.
- 2.2 It has been 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.
- 2.3 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.

3. FINANCIAL IMPLICATIONS

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

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4. LEGAL IMPLICATIONS

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

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 It is important to ensure that the Council manages standards regime matters in an appropriate manner. The issues detailed in this report help to ensure that there is an effective and sustainable Council.

Climate Change Implications

- 5.2 There are no specific climate change implications.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 There are no direct implications arising out of this report. Details of the Council's arrangements for managing standards complaints under the Localism Act 2011 are available on the Council's website and from the Monitoring Officer on request.

Operational Implications

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Member Complaints

- 6.2 No complaints have been received since the last meeting.

Committee Meetings Update

- 6.3 Meetings are still currently being held in order to meet the requirements of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panels Meetings) (England and Wales) Regulations 2020 no 392 with all public meetings being live streamed to the Council's YouTube channel, and a link provided on the Council's website to access these. This allows the public to continue to see that Council business is carrying on and that decisions are being made in an appropriate manner.
- 6.4 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panels Meetings) (England and Wales) Regulations 2020 no 392 that were put in place at the beginning of lockdown in respect of virtual meetings remain in place until 7th May 2021. After this date Councils will be required to hold meetings in person in cases where a decision needs to be taken by Members. Private and informal meetings where no decisions are required from Members can continue to be held virtually for example meetings of scrutiny Task Groups and the Member Support Steering Group.
- 6.5 A case has been submitted to the High Court by Hertfordshire County Council, the Association of Democratic Services Officers (ADSO) and the Lawyers in Local Government (LLG) challenging this position and arguing for the continuation of virtual meetings after the 7th May 2021. Members will be updated on the outcome of this process.
- 6.6 As the outcome of the legal challenge remains to be confirmed officers are ensuring that the Council is prepared for the potential return to meetings of committees in person. An officer working group has been established to discuss how best to organise physical meetings after 7th May 2021 whilst complying social distancing rules and government guidelines regarding the holding of Council meetings.

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Member Support Steering Group and Constitutional Review Party
Update

- 6.7 The Member Support Steering Group held a meeting on 2nd March 2021 to discuss the induction programme for Members due to be elected in May 2021. The Group has determined that training should be held virtually wherever possible.
- 6.8 The Group has also agreed to consider further information about the potential to webcast public committee meetings in future. The Group will be discussing this matter further at a meeting due to take place on 15th April 2021.
- 6.9 The Constitutional Review Working Party continues to meet on a regular basis and any recommendations arising from these meetings are reported to Council.

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are:
- Risk of challenge to Council decisions; and
 - Risk of complaints about elected Members.

8. APPENDICES and BACKGROUND PAPERS

There are no appendices.

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor David Thain, Portfolio Holder for Finance and Enabling	
Lead Director / Head of Service	Claire Felton, Head of Legal, Democratic and Property Services	
Financial Services	N/A	
Legal Services	Clare Flanagan, Principal Solicitor	
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	N/A	