

SHEFFIELD CITY COUNCIL

Standards Committee

Notes of a Meeting held 24 July 2013

PRESENT: Councillors Bryan Lodge (Chair), Alan Law, Pat Midgley, Peter Price and Clive Skelton.

Co-opted Members

Councillor Malcolm Glover, Mr John Atkinson, Mr Alan Casbolt and Mr Edward Fleming.

Officers In Attendance

Lynne Bird (Monitoring Officer and Director of Legal and Governance) and Dave Ross (Principal Committee Secretary).

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors David Baker and Penny Baker.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where it was proposed to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest from members of the Committee.

4. APPOINTMENT OF DEPUTY CHAIR

4.1 **Resolved:** That consideration of the appointment of the Deputy Chair is deferred to the next meeting of the Committee.

5. MINUTES OF LAST MEETING

5.1 **Resolved:** That the minutes of the meeting of Committee held on 15 May 2013 are noted.

6. REVIEW OF STANDARDS PROCEDURES

6.1 The Monitoring Officer (Director of Legal and Governance) submitted a report updating the Committee on the steps taken by the Council in relation to complying with the statutory obligations of the Localism Act 2011 to promote high standards of Member conduct, adopt a Code of conduct and introduce a process for investigating complaints. The Act also created a new system of Disclosable Pecuniary Interests for Members and removed compulsory sanctions for breach of the Code. Local Authorities were also required to appoint one or more Independent Persons that would assist the Monitoring Officer and this

Committee in considering complaints.

6.2 The report also outlined the Standards complaints received since July 2012 and included recommendations from the Independent Person and Monitoring Officer arising from an investigation into one complaint. The Committee were also invited to review the Members' Code of Conduct, the Procedure for Dealing with Standards complaints and the role of the Independent Persons, for which a draft Protocol was appended to the report.

6.3 The Monitoring Officer explained that the procedure for dealing with Standards complaints was different to most other local authorities and sought earlier resolution. This had meant that there had been less involvement for the three Independent Persons.

6.4 **Resolved:** That:-

(a) there are no proposed changes to the Members' Code of Conduct or the Procedure for Dealing with Standards Complaints;

(b) the outcome of the Standards complaints received since July 2012, as outlined in the report, are noted;

(c) the role of the Independent Persons, as set out in the Protocol at Appendix 3 of the report, is accepted; and

(d) the following recommendations arising from the investigation into complaints relating to the proposed closure of Stocksbridge Leisure Centre, are forwarded to the Leader of the Council for consideration:

1. The City Council should develop closer working relationships with the Parish and Town Councils to enable plans for their areas to be discussed and allow the Parish Council to be involved in future plans;

2. The Parish and Town Councils and the City Council should attempt to agree a communications strategy in relation to future plans;

3. The City Council should review the timing and nature of its consultation with the community on possible service cuts arising from budget restrictions. Where possible, the consultation should take place before the Council's Annual Budget is made public as this is perceived by the public as the Council's decision to reduce or stop the service.

4. The City Council should provide information in relation to

the decision making process, in particular the relationship between the Annual Budget and individual decisions relating to services and the role of Cabinet Members.

5. The City Council should consider using Independent Advisors similar to Independent Persons to provide an external overview of the Council's communication and consultation plans; and
- (e) where there are issues or recommendations arising from an investigation into a complaint that are not Standards related and are learning points for the Council or other bodies, these would be submitted to this Committee for consideration.

7. THE ROLE AND TERMS OF REFERENCE OF THE COMMITTEE

7.1 The Monitoring Officer (Director of Legal and Governance) submitted a report reviewing the role of the Committee in relation to promoting Standards. Attached to the report were relevant extracts of the Council's Constitution relating to the Committee's membership, role and functions and terms of reference.

7.2 There was discussion on the membership and quorum of the Committee and the involvement of the Parish and Town Council representatives.

7.3 **Resolved:** That:-

- (a) the Council be recommended to amend the composition and quorum of the Committee in Article 9 of the Constitution as set out below:

Committee Membership

The Standards Committee will comprise:

- (i) not more than eight Members of the City Council with proportionality disapplied (5 Labour and 3 Liberal Democrat members,) and
- (ii) up to 4 non-voting co-opted members (including 1 representative of the three Parish and Town Councils drawn from a pool of 3 representatives).

Quorum

The quorum for meetings of the Committee and any of its Sub-Committees shall be three Members.

One non-voting co-opted member should be present at meetings

of the Committee. Where a Parish or Town Council matter is being considered, a representative of the Parish or Town Councils should also be present; and

- (b) the Monitoring Officer (Director of Legal and Governance) be requested to submit a report to the next meeting of the Committee highlighting any general issues or wider learning points from the Standards complaints that have been received since July 2012.

8. DATES OF FUTURE MEETINGS

- 8.1 It was noted that meetings of the Committee would be held at 2.00 p.m. on 27 November 2013, 29 January and 26 March 2014.

(Note: These are notes of an inquorate meeting of the Committee).