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KIRKLEES COUNCIL
STANDARDS COMMITTEE

Tuesday 12 October 2010

Present: Councillors Hardcastle, Ridgway, C Smith, K Smith and Sokhal

Co-opted Members: Mr P Blythe (in the Chair), Mr D J Binns, Mr R Helm, Mrs J Gregory, Councillor S Watson, Councillor C Kaye and Prof A Kitson

1 Minutes of Previous Meetings

RESOLVED - That the Minutes of the Committee held on 17 August 2010 and the Minutes of the Sub-Committee (Consideration Hearing) held on 10 September 2010 be approved as correct records.

2 Interests

Mr R Helm and Mrs J Gregory declared prejudicial interests in Agenda Item 8 as discussion was to take place regarding their appointments.

3 Admission of the Public

It was noted that all Agenda items would be considered in public session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were asked.

6 Update on Complaints

The Monitoring Officer tabled a report which set out the latest position on the complaints investigation process.

RESOLVED - That the report be noted.

7 Future of Standards Regime - Government Proposals

The Committee received a report which set out details of the Government's proposals for the future of the Standards Regime. A copy of the press release issued on 20 September 2010 by the Department for Communities and Local Government was appended to the report. The report highlighted and summarised the key points which would become incorporated within the pending Decentralisation and Localism Bill. It was

anticipated that the proposals would become law in 2011 and that, until then, the current regime would remain in place.

RESOLVED -

(1) That the Government proposals be noted.

(2) That a copy of the report be circulated to all Councillors and Co-optees (with voting rights).

8 Appointment of External Members to Standards Committee

The Committee gave consideration to a report which advised of the appointment of Raymond Helm and Janet Gregory as external members of the Standards Committee until 31 March 2011. The report explained that the expiration of the appointment on this date would result in a seven week period, up until Annual Council on 25 May 2011, when the Committee Membership would not meet its legal requirement. The Committee were therefore asked to consider the authorisation of a recruitment exercise for the recruitment of two external members with effect from 1 April 2011.

Lengthy discussion took place regarding the options for the constitution of the Committee following the 1 April 2011. The Committee discussed the criteria for appointment of external members, the option of extending the terms of office until 25 May 2011, and the reconfiguration of the ratios of Committee membership.

Members agreed that their preferred option for the period following 1 April 2011 would be to reconstitute on a 6:3:3 ratio. It was noted that the Committee would not be meeting during this period but that the membership of any scheduled Local Assessment Panels, Review Panels or Determination Sub-Committees could be drawn from the twelve members.

RESOLVED -

(1) That Council be recommended to reconstitute this Committee on a 6:3:3 ratio for the period 1 April 2011 and 25 May 2011.

(2) That prior to any further recruitment to the Committee being undertaken the recruitment criteria be submitted to the Committee for consideration.

9 Development of Standards Materials on the Council Website

Further to the meeting of 28 April 2010 when the Committee had approved the creation of a web portal for Standards material, a demonstration was provided of the proposed changes to the website which was aimed at collating all relevant information about Standards together in on place.

The presentation illustrated the layout of the website, the information now available on it, and how to navigate the site.

The Committee noted the updated website and made some suggestions for minor amendments. Discussion took place as to whether the decision notices relating to hearings of the Sub-Committees should be put on-line and it was agreed that this should not be the case.

RESOLVED -

(1) That the content and layout of the new Standards web pages be noted and endorsed subject to some minor amendments as agreed at the meeting.

(2) That it be agreed that the decision notices relating to hearings of the Assessment Sub-Committee, Review Sub-Committee and Determination Sub-Committee not be made available on the website.

10 Standards Committee - Press Protocol

The Committee received a report which sought approval for the adoption of a media protocol for the Committee. The report advised that the protocol was intended to provide guidance to Members, primarily instructing that any dealings with the media should be conducted by the Chair of Standards Committee and/or the Monitoring Officer via the Council's press office.

RESOLVED - That the media protocol be approved subject to the amendment of paragraph 1.5 to read 'subject to 2.2 below, any reactive statement should be released as quickly as practicable on receipt of a media enquiry being received'.

11 Standards Committee Functions Regarding Politically Restricted Posts

The Committee gave consideration to a report which set out details of how the Standards Committee's functions in relation to politically restricted posts should be dealt with and what further amendments to the Council's constitution may be required.

The report advised of the impact on politically restricted posts and discussion took place on the impact upon specific officer roles within the Authority.

RESOLVED -

(1) That it be recommended to Corporate Governance and Audit Committee and Council that the constitution be amended as set out in Annex 2 of the report.

(2) That the guidance as set out in Appendix 1 to the report be applied in dealing with any further political restriction matters.

12 Partnership Bodies

The Committee were provided with details of the Council's Partnership Bodies/Nominations to Outside Bodies, further to a request for such information at an earlier meeting.

RESOLVED - That the report be noted.

13 Proposed Revisions to Adopted Planning Protocol

The Committee considered a report which set out the progress of the revisions to planning protocols. The Committee's views were sought on the content of the draft guidance as attached at Appendix 2 to the report.

Having considered the draft guidance they recommended a number of revisions.

RESOLVED - That Corporate Governance and Audit Committee be recommended to endorse the protocol subject to the following amendments:

- (1) Paragraph 5.1 be reworded to reflect that the paragraph relates specifically to major developments;
- (2) The deletion of paragraph 9.9;
- (3) The amendment of paragraph 10.2 to reflect that 'a Councillor should have undergone satisfactory training';
- (4) The amendment of paragraph 10.6 to read 'it is expected that in order to be able to continue to sit on this Committee you will be required to take part in refresher training'.

14 Dates of Future Meetings

It was noted that the next meeting would take place on Tuesday 7 December 2010 at 3.00 pm.