

## STANDARDS COMMITTEE MINUTES - 17 JULY 2007

**Present:** Councillor T Jones (Chair);  
Councillors Green, Hanley and Skeats; Mr J Hicks.

**Apologies:** Councillor Byrne; and Mrs A Lee.

### RESOLVED ITEMS

#### 1. MINUTES

The Minutes of the meeting held on 18 July 2006 were confirmed as a correct record and signed by the Chair.

#### 2. TERMS OF REFERENCE AND ANNUAL REPORT

The Monitoring Officer submitted a report setting out the Committee's terms of reference and constitutional role for the Municipal Year 2007/08, updating the Committee on developments and complaints during the 2006/07 Municipal Year and looking forward to the new Municipal Year. The report had the following documents appended:

Appendix A - Terms of reference and constitutional and operational arrangements for the Committee, including details of the requirements for independent Members

Appendix B - Procedure for considering cases referred to the Committee by the Standards Board for local determination.

Appendix C - Procedure for investigating complaints referred to the Monitoring Officer by an Ethical Standards Officer for local investigation.

Appendix D - The Council's revised Code of Conduct for Members, which was based on the new National Model Code.

Appendix E - The Council's response to the Department for Communities and Local Government to the consultation on amendments to the Model Code of Conduct for Local Authority Members, which had been submitted in March 2007.

Appendix F - The Register of Gifts and Hospitality offered to Councillors in the financial year 2006/07.

The report described the recruitment process that had been undertaken to seek independent members to replace Frank Stroud who had resigned with effect from the new Municipal Year. In response to the advertisements published in the Reading Evening Post and Reading Chronicle, five applications had been received and assessed against a person specification based on the Standards Board's guidance and statutory requirements. Following the assessments, two applications, from John Hicks and the Reverend Canon Brian Shenton, had been deemed to meet all the

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criteria and were recommended for appointment by way of recommendation from this Committee to full Council on 16 October 2007.

During 2005 the Standards Board for England had undertaken a review of the national Code of Conduct for Members, an exercise which it called "A Code for the Future". The Board had issued its findings and recommendations for improving the Code in September 2005. The Government (ODPM) had then issued a discussion paper in December 2005, and a consultation paper on a draft new Model Code of Conduct in January 2007. Following consultation with members of this Committee, the Monitoring Officer had responded to the consultation paper on behalf of the Council in March 2007, a copy of the response was attached to the report at Appendix E. The Department of Communities and Local Government (DCLG) had issued the Local Authorities (Model Code of Conduct) Order 2007 on 4 April 2007, prescribing a revised mandatory model Code of Conduct, which would come into effect by 1 October 2007.

The Monitoring Officer had modified the Model Code to remove clauses which were not relevant to Reading as a Unitary Authority; to append the General Principles prescribed by the Secretary of State expected of councillors and other members; and to retain the provisions for the declaration of gifts and hospitality. The local revised Code of Conduct was attached to the report at Appendix D. The main changes between the new Model Code of Conduct and its predecessor were summarised at paragraph 5.6 of the report. The modifications concerning personal and prejudicial interests had been made to increase the opportunities for Councillors to express support or objections, to give them the same rights as members of the public in these respects, and to improve transparency. Councillors with a personal and prejudicial interest would still not be able to exercise executive functions in relation to the matter in which they had an interest, seek improperly to influence a decision about it, or stay in the room whilst it was being discussed, after they had spoken on it.

In respect of complaints, during the Municipal Year 2006/07, the Standards Board had notified the Monitoring Officer of a collective complaint made by one person, about each Member of the Cabinet present at a meeting on 30 October 2006. The Board recorded this as nine individual complaints, each of which it had decided not to pursue to investigation. However, the incident complained about had resulted in the Group Leaders accepting recommendations from the Chief Executive and Monitoring Officer to clarify and reinforce Standing Orders governing public involvement in meetings, and also to establish the principle that mobile phones should not be used in the meeting room during the course of a meeting. In addition, the Monitoring Officer had received a further 12 complaints, in total, about eight separate Councillors which had been referred to him for consideration. Of these, 7 came from other Councillors, 3 from members of the public, and 2 from officers of the Council. Details of how each of the complaints was resolved were set out in the report at paragraphs 7.2.1 to 7.2.5.

**Resolved -**

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- (1) That the Committee's terms of reference and constitutional role, as set out in Appendix A to the report, be noted;
- (2) That the revised Reading Code of Conduct for Members, based on the new Model Code, as attached to the report at Appendix D, be agreed and recommended to Council for formal adoption, and in this respect:
  - (a) the new Reading Code be used as the Council's working document in advance of its formal adoption by Council and the Monitoring Officer be asked to notify all Councillors of the status of the new Code;
  - (b) the Monitoring Officer be asked to circulate the Standards Board's guidance note to the new Code with a covering note drawing attention to the main changes as set out in paragraph 5.6 of the report;
  - (c) following its formal adoption by Council, on 16 October 2007, the Monitoring Officer be asked to write to all Councillors and other members to require them to sign to confirm that they would abide by the new Code;
  - (d) the Monitoring Officer be asked to hold training sessions for all Councillors on the new Code, and the Group Leaders be asked to ensure that all Councillors elected before 2007 attend the training course;
- (3) That the appointment of Mr John Hicks and the Reverend Canon Brian Shenton, as independent members of the Committee, be accepted and recommended to Council on 16 October 2007;
- (4) That the list of gifts and hospitality registered by Members in the financial year 2006/07, as set out in Appendix F to the report, be received.

(The meeting commenced at 6.30pm and closed at 6.55pm).

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