

STANDARDS COMMITTEE

Minutes of the meeting held at 7.00 pm on 6 July 2017 (extract)

Present:

Councillor Ian F. Payne (Chairman)
Councillor Vanessa Allen (Vice-Chairman)
Councillor David Livett and Councillor Michael Tickner

Also Present:

Dr Simon Davey and Mr Nicholas Marcar

6 CODE OF CONDUCT
Report CSD17106

The Committee received a report on the operation of the standards system in Bromley, noting the current arrangements and in particular the limited sanctions available other than for breaches of the Code of Conduct in relation to declarable pecuniary interests (DPIs) which would be investigated by the Police, with the Director of Public Prosecutions responsible for considering whether criminal charges should be brought. Censure and adverse publicity were the main sanctions, with the Localism Act 2011 envisaging sanctions should be through the ballot box rather than the standards system. Requiring a Member to take training was possible, but there was no way to enforce this. Members could be removed from membership of committees, but this could only be decided by full Council on the recommendation of the party group.

The Committee also discussed the resources available should it be necessary to conduct a standards investigation, with a co-opted member expressing concern that the Police might be reluctant to investigate while the Council might not have the resources and expertise to conduct a forensic audit. Members accepted that they would have to find the appropriate resources, based on legal advice. A co-opted member also suggested that the profile of standards issues and the Committee's role needed to be raised; at the same time it was important not to encourage unnecessary complaints.

The report sought the Committee's views on whether any changes were required to the standards regime for the new Council to be elected in May 2018. The following potential issues had been identified –

(1) Dispensations

The Committee considered whether to allow a Member with a disclosable pecuniary interest to remain in a meeting provided they did not speak or

address the Committee where that right would be available to a member of the public. The Committee concluded that the Code should be amended to allow this.

(2) Gifts and Hospitality

Members considered whether to retain the need to register gifts and hospitality and, if so, whether they wished to retain the current threshold of £25. It was concluded that the £25 threshold should remain.

(3) Registerable Interests

Members considered whether to revise the details of interests which were registerable under the Code of Conduct – in particular whether the interests of other family members, such as siblings or children, should be declared. The Committee decided that the Rules should remain as they were.

(4) Significant Interests

Members considered whether to treat significant interests in the same way as disclosable pecuniary interests. It was noted that there was no legal requirement to do this, and that such a move would be likely to mean an increase in requests for dispensations. The Committee decided to make no change.

(5) Independent Persons

Members were asked whether it was necessary to undertake a new recruitment process for the appointment of Independent Persons to support the standards system. Members concluded that given the level of standards complaints this was not necessary.

The Committee noted that no meetings had been called for several years, and discussed how frequently they should meet. It was decided that there should be at least one meeting each year. It was also proposed that the Chairman be appointed at the annual Council meeting, as with most other Committees.

RESOLVED that, having considered the potential changes to the Standards system set out above, no changes be made for 2018 except that the dispensation system be changed to allow a Member with a disclosable pecuniary interest to remain in a meeting providing that they do not address the Committee, where that right would be available to a member of the public.