

Committee:	Standards Committee	Agenda Item No.:	11.
Date:	4 th January 2012	Category	*
Subject:	Localism Act – Standards Framework	Status	Open
Report by:	Sarah Sternberg – Solicitor to the Council and Monitoring Officer		
Other Officers involved:	Legal and Standards Officer and Deputy Monitoring Officer		
Director			
Relevant Portfolio Holder	N/A		

RELEVANT CORPORATE AIMS

COMMUNITY SAFETY – Ensuring that communities are safe and secure
CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment

REGENERATION – Developing healthy, prosperous and sustainable communities

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning.

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

This is part of the ethical framework and so affects all corporate aims

TARGETS

None.

VALUE FOR MONEY

This report does not involve the expenditure of money.

THE REPORT

Attached at page 39 is a note of the expected outcomes of the Localism Act in relation to codes of conduct and the ethical framework. Attached at page 41 is a note by Weightmans Solicitors (one of our Panel Solicitors at EM Lawshare)

Members are invited to read these and comment.

This raises a number of practical issues. Attached at page 50 is the latest from Standards for England about their demise, which is imminent. Clearly the Government expects Councils to move swiftly. However, currently draft Regulations are awaited.

ISSUES FOR CONSIDERATION

In order to progress this, I would like members' views on the following:-

1) **Draft indicative timetable**

This suggested timetable is subject to what the Regulations say as to what needs doing and when by.

Advertise for and selection process for an "Independent Person"	January/ March 2012
Pursue appointment of "Independent Person" from NEDDC Standards Committee and Vice Versa	January/March 2012
Consultation with District Councillors	January/February 2012
Chair's meeting with the 3 Party Leaders	March 2012
Discuss arrangements with the Parish Councils	January/March 2012
Changes to Standing Orders in the Constitution to Standards Committee	January/March 2012
Changes to Standing Orders in the Constitution to Council	25 th April 2012
Council approval	28 th March 2012

2) The idea promoted in Weightmans note that we consider co-opted members of Bolsover's Standards Committee acting as an Independent Person for a neighbouring authority and vice versa.

I have raised this as a possibility with our Strategic Alliance partner, North East Derbyshire District Council.

- 3) Placing advertisements for the Independent Person in early New Year, subject to any requirements as to where the advert must be placed. Full Council will have to appoint the Independent Person, it cannot be delegated.
- 4) Consultation will have to take place with Parish Councils in the District's area as to the system for dealing with complaints and as to the Code of Conduct.
- 5) District Councillors should also be consulted over the Code of Conduct and the Complaint Process.
- 6) Standing Orders will need amending to cover what happens when a Councillor declares a Pecuniary Interest in terms of leaving the meeting. However, there are no draft Regulations in relation to Pecuniary Interests as yet.
- 7) Contact to be made with Derbyshire Constabulary about arrangements for dealing with failure to declare a pecuniary interest.

The next meeting of the Standards Committee is on the 21st February when we should know more about how this will work.

IMPLICATIONS

Financial : None

Legal : As in the report

Human Resources : Role of Monitoring Officer

RECOMMENDATION(S)

that Members

- 1) Provide views on the issues raised on the report and outline any additional areas of concern.
- 2) Give preliminary approval to the indicative timetable subject to the contents of the Regulations

ATTACHMENT: **Y – Note from Weightmans solicitors, note of Solicitor to the Council, copy e mail from the Standards for England**

FILE REFERENCE: **None**

SOURCE DOCUMENT: **Localism Act 2011**