

STANDARDS COMMITTEE – Meeting held on Monday, 19th June, 2006.

Present:-

Co-opted Independent Members:-

Mr Fred Ashmore, Mr Mike Field, Mr Zahir Khan and the Reverend Paul Lipscomb.

Elected Members:-

Councillors Latif Khan, Mewa Mann, Mohammed Rasib and Lydia Simmons.

Parish Council Representative:-

Britwell Parish Councillor Nicoline Brandligt (deputising for Parish Councillor Tucker)

Also Present under Rule 30:-

Councillor Geoff Howard.

Apologies for absence:- Councillors Mohammed Aziz and John Finn and Colnbrook with Poyle Parish Councillor Laurie Tucker.

PART I

1. Declarations of Interest

None.

2. Election of Chair

Resolved - That the Reverend Paul Lipscomb be appointed Chair of the Committee for the current municipal year.

(The Reverend Paul Lipscomb in the Chair).

3. Minutes

The minutes of the meeting of the Committee held on 3rd April, 2006 were approved as a correct record and signed by the Chair.

4. Election of Vice-Chair

Resolved - That Mr Mike Field be appointed Vice-Chair of the Committee for the current municipal year.

Standards Committee - 19.06.06

5. Appointment of Standards (Local Determination) Sub-Committee

Resolved - That the following Members be appointed to form a pool from which Members will be drawn to serve on the Standards (Local Determination) Sub-Committee for the current municipal year:-

Elected Members

Councillors Mohammed Aziz, John Finn and Mohammed Rasib.

Independent Co-opted Members

Messrs Fred Ashmore, Mike Field, Zahir Khan and The Reverend Paul Lipscomb.

6. Members' Performance Monitoring Panel

Resolved - That the following Members be appointed to serve on the Members' Performance Monitoring Panel for the current municipal year:-

Elected Members

Councillors Latif Khan, Mewa Mann and Lydia Simmons.

Co-opted Independent Members

Messrs Fred Ashmore and Mike Field.

7. Work Programme 2006/07

The Officers submitted for consideration the proposed work programme for the Standards Committee for 2006/07.

During consideration of the work programme, there was a call for the Committee to address the current problem of Members' poor behaviour and conduct. Members expressed regret that some Councillors appeared not to be able to accept each others' political differences and to treat each other with respect and courtesy. The Director of Law and Corporate Governance reported that, arising from a recent incident at the Overview and Scrutiny Committee meeting on 8th June, 2006, the four Group Leaders had met that day to address the issue of Members' behaviour and he indicated that he was hopeful that some positive results would come out of the Meeting.

General disappointment was expressed about the effectiveness of the Standards Board for England in addressing Members' poor behaviour and its failure to take action when complaints regarding this matter were reported to them. The Chair of the Committee reported that he had been asked to speak at the Annual Assembly for Standards Committees in September and that he would be interested to receive copies of correspondence between Members and the Standards Board for England

Standards Committee - 19.06.06

which demonstrated their failure to act against bad behaviour and he undertook to raise this issue in his address to the Annual Assembly.

The Director of Law and Corporate Governance indicated that there were current proposals to remove the “gate keeping” role in respect of complaints from the Standards Board for England and place this responsibility on either Monitoring Officers or local authority Standards Committees. However, it was likely to be two or more years before the necessary regulations were introduced to effect this change.

It was suggested that the failure of the current complaints system to modify Members’ behaviour might be partly due to the fact that the sanctions imposed were too lenient.

It was felt that additional training would not resolve the current problems but that a fundamental change in attitude needed to be brought about.

Resolved - That the proposed work programme for 2006/07 now submitted be approved.

8. Compulsory Training for Members Appointed to Quasi-Legal Bodies

The Director of Law and Corporate Governance drew attention to the Section in the Members’ Handbook entitled “Members’ Induction Development Programme” which set out a whole range of training and development designed to assist all Councillors in carrying out their roles and responsibilities. Not all the courses were compulsory but it was considered essential that prior to Members making decisions which might affect the rights of individuals they were fully briefed on how to conduct such hearings and inquiries and/or make decisions of a quasi-legal nature. Quasi legal bodies of the Council included the Standards Committee and its Local Determination Sub-Committee, the Planning and Licensing Committees, the Licensing Sub-Committee, Employment Appeals Committee and its Sub-Committees.

Paragraph 6 of Part III of the Constitution had been amended to reflect this requirement but the terminology used was felt to be over restrictive as it prevented Members from serving on the bodies if they did not receive training regardless of the matter under consideration. It was pointed out that there were matters where training and development was not required e.g. the appointment of a Chair. In order to ensure that this distinction was made it was proposed that paragraph 6 of Part III of the Constitution should be amended.

During consideration of this matter the question of whether a Member should be required to attend training each year regardless of whether or not they had attended training in previous years was raised. It was pointed out that nothing ever remained completely unchanged and that new material was often introduced at training sessions which also served as useful refresher courses. It was pointed out that decisions could be challenged on the grounds that adequate training had not been provided or received.

Standards Committee - 19.06.06

Recommended -

That Council amend paragraph 6 of Part III of the Constitution entitled "Responsibility for Functions and Scheme of Delegation" to read as follows:-

"Members appointed to any of the quasi-legal bodies listed below must attend the compulsory training sessions provided before they can participate in any hearing, inquiry or decision which will affect the rights of any individual.

The quasi legal bodies are:-

The Standards Committee
The Standards (Local Determination) Sub-Committee
Planning Committee
Licensing Committee
Licensing Sub-Committees
Employment and Appeals Committee
Employment Appeals Sub-Committee
Appeals Sub-Committee

Chair

(Note: The Meeting opened at 6.15 p.m. and closed at 6.40 p.m.)