

STANDARDS COMMITTEE – Meeting held on Tuesday, 27th February, 2007.

Present:-

Co-opted Independent Members:-

The Reverend Paul Lipscomb (Chair) and Mr Zahire Khan.

Elected Members:-

Councillors John Finn (part of meeting), Latif Khan, Mewa Mann and Lydia Simmons.

Parish Council Member:-

Colnbrook with Poyle Parish Councillor Laurie Tucker.

Apologies for absence:- Councillors Mohammed Aziz and Mohammed Rasib and Mr Mike Field.

PART I

19. Declarations of Interest

None.

20. Minutes

The minutes of the meeting of the Committee held on 15th January, 2007 were approved as a correct record and signed by the Chair.

21. Amendments to the Model Code of Conduct for Local Authority Members

The Director of Law and Corporate Governance submitted for consideration the Department of Community and Local Government's Consultation Paper on amendments to the Model Code of Conduct for Local Authority Members which comprised a copy of the revised draft Model Code and an explanatory commentary on the proposed amendments set out therein. The deadline for responses to the Consultation Paper was 9th March, 2007.

Prior to issuing the Consultation Paper the Government had consulted a number of key stakeholders including the Local Government Association, the Association of Council Secretaries and Solicitors, the Society of Local Authority Chief Executives and the Association of Local Authority Chief Executives and their responses had shaped the current proposals. Through the amendments the Government was seeking to put in place a clearer, simpler and more proportionate Code of Conduct.

It was proposed that the revised Model Code would combine the four separate Codes currently covering Local Authorities, Parish Councils, National Park and Broads Authorities and Police Authorities to form one consolidated Code of Conduct.

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As part of the consultation process the Department of Communities and Local Government had asked local authorities to respond to eight specific questions on the amendments proposed. Suggested responses to these questions together with general comments regarding the amendments which had been drafted by the Director of Law and Corporate Governance in conjunction with the Chair were submitted for the Committee's consideration and approval.

During consideration of this matter attention was drawn to the addition of a specific provision within the revised Code proscribing bullying. Members indicated their view that all kinds of bullying should be regarded seriously and any such complaints referred to the Council for determination should be dealt with rigorously.

Resolved - That the Committee welcome the proposed amendments to the Model Code of Conduct for Local Authority Members and approve the responses to the Consultation Paper now submitted.

22. Overturning of the Adjudication Panel for England's Suspension from Office of the Mayor of London, Ken Livingstone

The Director of Law and Corporate Governance submitted for information a copy of a recent article which appeared in the Winter 2007 Training Brief published by LGG setting out the implications, in terms of regulation of the conduct of Members, of the High Court's overturning of the Mayor of London's suspension from office by the Adjudication Panel for England.

Ken Livingstone had successfully argued that the words "in performing his functions" in Section 52 of the Local Government Act 2000 limited the scope of the Code of Conduct and that it was not intended that it should affect what a Member did in his/her private life. As a result of the High Court Judgement under the current Code of Conduct a Member who shoplifted or was guilty of drunk driving would not be caught by the Code if the offending had nothing to do with his position as a Member.

One of the consequences of the High Court judgment was that the Government in the revised draft Model Local Code of Conduct had revised paragraph 4 relating to Members bringing their office or authority into disrepute to include criminal offences. The Committee in response to Government's Consultation Paper on the revised draft Model Code had indicated that confining action to criminal convictions was too restrictive and should be extended to include serious civil issues.

Resolved - That the information report now submitted be noted..

Chair

(Note: The Meeting opened at 6.15 p.m. and closed at 6.44 p.m.)