



Minutes of the meeting of the STANDARDS COMMITTEE held on THURSDAY 30 AUGUST 2012 at 5.30 pm

Present: Councillors Bradburn, Eastman, A Geary, P Geary, Hopkins, Jury, O'Neill, P Williams and Zealley

Officers: J Moffoot (Assistant Director [Democratic Services]), K Hulatt (Solicitor) and T Milner (Committee Manager)

Apology: Councillor Miles

ST09 ELECTION OF CHAIR

RESOLVED -

1. That Councillor O'Neill be elected as Chair for this meeting of the Standards Committee.
2. That the election of Chair for the year of 2012/13 be deferred until the next meeting of the Standards Committee.

ST10 APPOINTMENT OF VICE-CHAIR

RESOLVED –

That the appointment of Vice-Chair be deferred until the next meeting of the Standards Committee.

ST11 MINUTES OF PREVIOUS MEETING

RESOLVED -

That the Minutes of the Special Standards Committee meeting held on 19 June 2012, be approved and signed by the Chair as a correct record.

ST12 DISCLOSURE OF INTEREST

Councillor Hopkins declared a personal interest in Agenda item 9 (Co-option of Parish Members), as he knew two of the people concerned, and took no part in the discussion or voting.

ST13 TERMS OF REFERENCE

The Committee considered its new Terms of Reference and received a presentation on the new Standards regime that had come into effect on 1 July 2012.

The Committee noted that a training session for the Committee would be held on 10 September 2012.

RESOLVED –

That the Terms of Reference of the new Standards Committee, and the presentation on its role, be noted.

ST14

CO-OPTION OF PARISH MEMBERS

The Committee considered the co-option of Parish Members to serve on the Committee.

RESOLVED –

1. That the Council be recommended to approve the co-option of three non-voting parish members with previous Standards Committee experience, namely Councillors David Livingstone, Michael Geddes and Norman Wilkes, to sit on the Committee up until 1 May 2013.
2. That the Monitoring Officer be instructed to approach those Members and invite them to attend Standards Committee training sessions as appropriate.
3. That the Monitoring Officer be instructed to send a formal letter of invitation to the Parish Councillors and the clerks of the Parish Councils concerned.
4. That the Monitoring Officer be instructed, prior to the final Standards Committee meeting of the Council year (2012-13), to undertake a recruitment exercise and to present a list of names, and other details for consideration of co-option by the Standards Committee for the 2013/14 Council year.
5. That the Monitoring Officer be instructed to seek to appoint a co-opted fourth Parish Member at the earliest opportunity, to ensure that appropriate training, and experience can be gained prior to May 2013.

ST15

INDEPENDENT PERSONS

The Committee noted the recruitment exercise for Independent Persons that had been undertaken by Central Bedfordshire, Bedford Borough, Luton, Milton Keynes Council and the Combined Fire Authorities.

The joint recruitment exercise resulted in a pool of 10 potential Independent Persons.

RESOLVED –

That the Council be recommended that, subject to the transitional provisions contained in the Localism Act 2011 (Commencement No. 6 and Transitional Savings and Transitory Provisions) Order 2012 as amended), the following persons be appointed as Independent Persons for a period of four years:

- (a) Maureen Briggs
- (b) Christopher Ensor
- (c) Vasco Fernandes
- (d) Christopher Fogden
- (e) John Jones
- (f) Michael Collins Jones
- (g) Martin Leppert
- (h) Timothy Mainwaring
- (i) John Mackay
- (j) Alexandra di Stefano

1. That it be noted, that Christopher Fogden, as a previous Independent Member for Milton Keynes Council and appointed after 24 July 2012, will only be able to act as an Independent Person for Milton Keynes Council until 1 July 2013.
2. That approval in principle be given to a system of payment which includes a retainer for each Independent Person, divided between the participating authorities, and a 'per case' fee paid by the instructing authority.
3. That agreement of payment arrangements be delegated to the Monitoring Officer, in line with the principle at 3 above.
4. That the Monitoring Officer report back to the Committee on payment arrangements and also provide a regular update of payments to Independent Persons to each meeting of the Standards Committee.
5. That the Monitoring Officer inform the appointed Independent Persons of their appointment and terms of engagement.
6. That the Monitoring Officer, in consultation with the other authorities, agree training provision for the Independent Persons.

ST16

DETERMINATION OF COMPLAINTS

The Committee considered procedures for the determination of complaints.

RESOLVED –

1. That it be noted that a number of complaints have been received which require determination.

2. That it be noted that as soon as training has been undertaken, Assessment Sub Committees will be convened to consider the pending complaints.
3. That the Monitoring Officer arrange Standards Committee training as soon as possible, to be undertaken by co-opted Parish Members, and for Independent Persons to be invited as appropriate.
4. That the flow chart for the determination of complaints be noted.
5. That it be noted that should a complaint be referred for investigation, Standards for England guidelines will be followed, pending a full update of the policies and procedures for the investigation and determination of complaints to be submitted to the next Standards Committee meeting.
6. That the Monitoring Officer should ensure that an update on the number of complaints received and the outcomes of any determinations be reported to the next meeting.

ST17

DISPENSATIONS

The Committee considered the need for dispensations for Members under Section 33 of the Localism Act 2011.

RESOLVED -

1. That dispensations be granted from Section 31(4) of the Localism Act 2011 on the basis that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business, such dispensations to be made in respect of all Members of Milton Keynes Council and take effect from 30 August 2012 for the period of four years:
 - (a) housing, where the Member is a tenant of the authority; provided that those functions do not relate particularly to that Member's tenancy or lease;
 - (b) school meals or school transport and travelling expenses, where the Member is a parent or guardian of a child in full time education, or is a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (c) an allowance, payment, pension or indemnity given to Members;
 - (d) any ceremonial honour given to Members; and

- (e) setting Council Tax or a precept under the Local Government Finance Act 1992.
2. That Council be recommended to designate the Monitoring Officer as the Proper Officer of the Authority for the purposes of written requests by a Member(s) or co-opted Member(s) of the Authority for the grant of a dispensation.
 3. That consideration of the future arrangement for granting dispensation under Section 33 of the Localism Act 2011 be deferred until the next meeting of the Standards Committee.

THE CHAIR CLOSED THE MEETING AT 18:27 PM