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## Standards Committee

Report of the meeting held on 9th December 2004

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### Matters for Information

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#### 10. LOCAL INVESTIGATION REGULATIONS

Further to Item No 5 of its Report to the meeting of the Council held on 21st July 2004, the Committee has been advised of the coming into force, on 4th November 2004, of the Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004 and the Standards Board for England (Functions) Order 2004. The Committee has also noted guidance published by the Standards Board for England on the conduct of local investigations and determinations.

The Regulations will enable local authority Monitoring Officers to carry out investigations into alleged breaches by councillors of their Code of Conduct which are referred to them by an Ethical Standards Officer prior to his or her having carried out or concluded an investigation. The Regulations also provide for local authority Standards Committees to make determinations following Monitoring Officer reports on the investigation of such breaches.

In the event of the reference by an Ethical Standards Officer of a case of misconduct by a councillor, the Director of Central Services and Monitoring Officer has been authorised after consultation with the Chairman of the Committee, to arrange for the local investigation of the allegations and, given the potential for a defamation claim from a councillor or any other person mentioned in a report by an Investigation Officer, to negotiate the terms of an indemnity with the Council's insurers against any legal costs which might accrue from the defence of any such claim or any damages which might be awarded.

#### 11. MODEL CODE OF CONDUCT: STANDARDS BOARD NOTIFICATIONS

In accordance with the procedure adopted by the Standards Board for England, the Committee has been informed that the Board has decided not to take any further action in relation to allegations made against current and former councillors serving on Southoe and Midloe Parish Council, Ramsey Town Council and the District Council.

Following concern nationally over the time being taken by the Standards Board to process cases, the Committee has noted details

of a new referral process which will focus on serious allegations of misconduct with the potential to damage the reputation of local government. It is the intention of the Board that this more vigorous approach will exclude vexatious or relatively minor allegations.

**12. PREJUDICIAL INTERESTS: APPLICATION FOR DISPENSATION**

Having regard to advice received from the Monitoring Officer, the Committee has granted dispensations to allow nine Members of Colne Parish Council to speak and vote on matters relating to the village hall and playing field should they arise at meetings of the Parish Council in the period ending 30th April 2007. In conveying this decision to the Parish Council, the Committee has requested the Monitoring Officer to advise the parish to contact the Charity Commission for assistance in reviewing the suitability of their trustee arrangements to overcome continuing conflicts of interest.

**13. STANDARDS – CURRENT ISSUES**

The Committee has made a series of suggestions to increase the number of newly elected Parish Councillors and co-opted Members attending training sessions on the Ethical Framework and Code of Conduct organised by the Monitoring Officer annually each autumn and has noted the commencement of a Parliamentary Select Committee inquiry into the "role and effectiveness of the Standards Board for England".

D H Bristow  
Chairman