

# STEVENAGE BOROUGH COUNCIL

## STANDARDS COMMITTEE MINUTES

**Date: Wednesday 15 July 2009**

**Time: 6.00 p.m.**

**Place: Shimkent Room, Daneshill House, Stevenage**

**Present:** Stewart Gillies - Independent (Chair), Allen Holland - Independent, D Kissane, Mrs J Lloyd, G Snell, B Underwood

**In Attendance:**

**Start/End Time:** Start Time: 6.00 p.m.  
End Time: 8.15 p.m.

### **1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence had been received from Independent Member Ananda Hale and from Councillor M Notley.

It was noted that Members did not have an automatic interest in Item 3 (Members' Allowances and Payments), although interests might arise during the discussion. There were no other declarations of interest.

### **2 MINUTES - 13 JANUARY 2009**

It was **RESOLVED** that the Minutes of the meeting held on 13 January 2009 be approved as a correct record and signed by the Chair.

### **3 MEMBERS' ALLOWANCES AND PAYMENTS**

The Strategic Director (Resources) presented the report, outlining the review of Members' Allowances which had been undertaken at the request of the Chair of the Standards Committee. The review had not identified any significant concerns or weaknesses, but several recommendations had been made to eliminate any ambiguity and to develop existing guidance.

The review had looked at a sample of transactions, examining the written rules and speaking to a selection of Members regarding their understanding of the scheme. The report had covered each area of the scheme including: Members' allowances; travel expenses; mileage and parking; payments for conferences and related accommodation and subsistence; provisions of telephone and IT equipment; carers and childcare allowances; and the mayoral allowances.

Members raised concern regarding the general tone of the report, which they considered to be overly critical of Members. Officers commented that the conclusions were not intended to be critical of individual Members, rather to demonstrate that the guidance and procedures needed clarification. Independent

Members commented that they had considered the report to be balanced and neutral in terms of its tone and the recommendations made.

It was acknowledged that the timing of the publication of the report was unfortunate, given the recent media attention on MPs' expenses. However, this context gave added urgency to the need to ensure that the Council's procedures for Members' Allowances and expenses were robust and transparent.

Specific questions and comments on the report were made as follows:

- Referring to the provision of refreshments in advance of meetings, a Member raised concern regarding the terminology used in the report, which suggested that refreshments had been provided for group meetings, against the terms of the Scheme. She did not consider that this had been the case. Officers undertook to clarify this and to respond to all Committee Members.
- Responding to a question as to why the maximum payments per hour for childcare and dependant adult care were different, officers explained that these figures were set by the Independent Remuneration Panel and that the question would be raised with them at their next review.
- In relation to the Mayor's Allowance, it was noted that a lump sum of £4,267 had been paid to one Mayor without provision of receipts, to fund the purchase of appropriate attire for the mayoral year. The report recommended that this practice be reviewed, and that, if continued, it should be supported by appropriate receipts. The Committee agreed that, as the payment had been made lawfully and in accordance with practice at the time, it would not be appropriate to take any action to try and recover the sum.
- The Chair referred to the element of the Basic Allowance which covered costs of IT equipment. In relation to those Members who were also Members of the County Council and who received a similar allowance for IT equipment from that authority, it was considered that this could appear to be an "overlapping benefit". The Chair indicated that he would bring this potential discrepancy to the attention of Members and would leave it to their discretion as to whether they would opt to forgo the IT element of the allowance.
- It was suggested that the annual report on payments of allowances to Members should include all costs to the Council (i.e. including pensions contributions and childcare / carers' expenses). As there were implications in terms of discrimination and security, it was proposed that this figure could be listed without a full breakdown of the names of Councillors in receipt of these payments. It was agreed that this be considered in more detail at the next meeting to allow Members to consult with their groups. The Chair undertook to speak to the Conservative group and to the UK Independence Party Member.
- It was noted that payments to Members were subject to regular internal and external audit, and that the report would also be considered by the Audit Committee.
- Officers confirmed that meetings of Outside Bodies would be considered as "Council business" for the purposes of travel and/or parking expenses, provided the Member concerned was attending as a Council-appointed representative. This would be clarified in the guidance.

It was **RESOLVED**:

1. That the report and conclusion be noted and approved.
2. That the draft guide to the Members' Allowances scheme as set out in Appendix B be noted.

#### **4 REGISTER OF MEMBERS INTERESTS**

The Committee considered a report which presented the Review of the Register of Members' Interests and Registration of Gifts and Hospitality. The Chair explained that he had undertaken the work in October 2008 as part of his annual work.

Members commented that the Pantomime tickets referred to as having been offered to all Councillors, had been £17 each, and so Members who had only been offered or accepted one ticket had not needed to register the gift. It was noted that the Labour group had decided not to accept such gifts in future.

A Member commented that the report erroneously listed Councillor A Webb as having not declared her party membership. It was noted that Councillor Webb had declared her party membership correctly.

The Borough Solicitor confirmed that, although there was no legal requirement to give an estimated value for any gifts or hospitality registered, Members were encouraged to do so. It was also noted that the government was considering increasing the threshold value for the registration of gifts and hospitality to £100.

It was **RESOLVED** that the report be noted.

#### **5 THE STANDARDS COMMITTEE (FURTHER PROVISIONS) (ENGLAND) REGULATIONS 2009 AND STANDARDS BOARD FOR ENGLAND GUIDANCE ON OTHER ACTION**

The Borough Solicitor and Monitoring Officer presented the report which summarised the new statutory provisions for Standards Board intervention, Joint Standards Committees and dispensations. The report also referred to the new Guidance from the Standards Board on Other Action.

The Committee agreed that joint arrangements for Standards Committee would not be appropriate for Stevenage and that this should not be pursued. Although joint arrangements would bring benefits in terms of breadth of membership and increased experience of Standards issues, it was agreed that these would be outweighed by the additional workload and the difficulties in establishing and administering joint arrangements. In addition, it was noted that Stevenage was very different from its neighbouring authorities, particularly in relation to the lack of Parish Councils, from where other authorities often received a substantial amount of their Standards-related work.

It was **RESOLVED**:

1. That the report be noted.
2. That the assessment criteria for referring a matter which is the subject of a complaint be adopted as set out in paragraph 23 of the Guidance on Other Action issued by the Standards Board for England.

## **6 STANDARDS BOARD FOR ENGLAND ANNUAL RETURN**

The Committee considered the report which presented the Council's Annual Return to the Standards Board.

Referring to the entry which related to Standards Committee training, concern was raised that training for Independent Members had been insufficient. In the past 12 months, two courses had been withdrawn and another had been arranged at short notice.

The Chair commented that, as a result of the entry regarding political leadership, he now had quarterly conversations with the leaders of all three political groups to discuss standards issues.

It was suggested that, in future, the Annual Return be approved by the Chair prior to submission.

It was **RESOLVED** that the report be noted.

## **7 THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW FOR THE YEAR ENDED 31 MARCH 2009**

The Committee considered a report which set out the Local Government Ombudsman's complaint statistics for 2008/09.

The Borough Solicitor commented that the average response time of 29.6 days, while in excess of the target of 28 days, was a significant improvement on the average in recent years. Furthermore, this average included complaints to Stevenage Homes Ltd (SHL) as the Ombudsman did not recognise SHL as a separate body for the purposes of complaints. Due to the often detailed nature of complaints to SHL, these inevitably took longer to address and so the overall figure was affected by this. The average response time for complaints to the Council itself was 17 days.

It was **RESOLVED** that the report be noted.

## **8 URGENT PART I BUSINESS**

None.

## **9 EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

## **10 URGENT PART II BUSINESS**

None.