

**MINUTES OF A MEETING OF THE ESSEX COUNTY COUNCIL AND ESSEX FIRE
AUTHORITY JOINT STANDARDS COMMITTEE HELD AT COUNTY HALL,
CHELMSFORD, ON 22 SEPTEMBER 2011**

Membership

**Appointed by Essex County
Council**

Independent Members:

- * Mr A French (Chairman)
- Mr D Farrow (Vice-Chairman)
- Mr C Jackman
- * Mr Colin Booth

Councillors:

- R Bass (Chairman of the Council,
ex officio)
- * Mrs M Fisher
- * Mrs E Hart
- * M Mackrory
- * J Pike
- * C Pond
- D Robinson
- * K Twitchen
- * Mrs M Webster
- * Present

**Appointed by Essex Fire
Authority**

Independent Member:

- * Mr M Goodswen

Councillors:

- S McPherson (Thurrock Borough
Council)
- R Pearson (Essex County Council)
- * Fay Evans (Southend Borough
Council)

The following officers were present in support throughout the meeting:

Vivien Door	Committee Officer
Colin Ismay	Head of Scrutiny and Lead Governance Officer
Alex Hallam	Deputy County Solicitor
Terry Osborne	Assistant Director for Corporate Law

35. Welcome

The Chairman welcomed Terry Osborne, Assistant Director of Corporate Law to her first meeting and hoped she would enjoy working with the Committee. He also thanked Alex Hallam, Deputy County Solicitor, for her hard work with the Committee over the years and her help in setting up the constitution procedures and terms of reference for the Local Code of Conduct.

36. Apologies

The Committee Officer reported apologies from County Councillors R Bass, D Robinson and R Pearson.

37. Declarations of Interest

There were no declarations of interest reported.

38. Minutes

The minutes of the meeting held on 20 July 2011 were approved as a correct record and signed by the Chairman.

39. Matters Arising

No matters arising were reported.

40. Development of a Local Code of Conduct

The Committee received a report (SC/009/11) from Colin Ismay, Head of Scrutiny and Lead Governance Officer. The Deputy County Solicitor informed the Committee that the Localism Bill was still progressing through Parliament. Amendments had been tabled in the House of Lords to retain a National Code of Conduct. The Bill could be passed by the end of 2011. The Monitoring Officers group was awaiting further developments in relation to the proposed amendments before proceeding with proposals for the local standards regime. It seems likely that only the powers of censure would be retained as part of any sanctions available under a local standards regime.

During the discussion the following points were made:

- Members felt strongly that sanctions should be retained by Local Standards Committees as without these powers Members felt the Standards Committee would be unable to restrain Councillors from breaching the Code of Conduct;
- The sanctions should be relevant and meaningful to the breach of the Code;
- Currently the Local Code of Conduct gave the Standards Committee sanctions, including to suspend a Councillor, to request retraining, or to apologise, these sanctions to be published in local newspapers.

Resolved:

- (1) That, subject to the views of the Leader and Chairman of the County Council, the Chairman of this Committee, in discussion with the Head of Scrutiny and Lead Governance Officer and the Monitoring Officer, compose a letter to the appropriate Government Ministers, making them aware in the event of a decision to retain a compulsory code of conduct of the views of the Essex County Council and Essex Fire Authority Standards Committee regarding giving Local Authorities relevant and meaningful sanctions for Councillors who are found to be in breach of the Code of Conduct.
- (2) That the Monitoring Officer report to the Committee on a regular basis regarding the effectiveness of the Code of Conduct.

41. Member Annual Statements

The Committee received an oral update on Member Annual Statements from the Head of Scrutiny and Lead Governance Officer: 46 Statements had been returned. Members thanked all officers who had provided the statistical information within each statement. The Head of Scrutiny and Lead Governance Officer will chase up the remaining forms prior to the Council meeting on 11 October. Arrangements will then be made to convene a sub-group to review the Statements.

42. Ethical Governance Audit

The Committee received an oral update from the Head of Scrutiny and Lead Governance Officer. The Council was still awaiting the findings from the Audit Commission. A report will be made to the Committee once the findings have been received.

43. Recent Complaints

The Committee received an oral update on recent complaints from Alex Hallam, Deputy County Solicitor.

The Deputy County Solicitor updated the Committee about three recent complaints. One that had been sent to the Standards for England for investigation was now completed and the Case Summary had been published on the website. One complaint against two Councillors had been assessed as no further action required and a further two complaints against one Councillor were still being investigated.

Resolved:

That the Committee Officer would forward the Case Summary from the completed Standards for England investigation to Members.

44. Date and Time of the Next Meeting

The Committee noted the date of the next meeting was scheduled to take place on Thursday, 20 October 2011 at 10.00 am in Committee Room 2.

As there was no further business the Chairman closed the meeting at 3.15 pm.

Chairman