

ANNUAL REPORT 2010/11

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Summary and Recommendation:

The Committee produced its first Annual Report in 2009/10 and this was presented at Copeland Borough Council's April meeting. This Item asks whether there should be an Annual Report for 2010/11 and if so how it should be drafted and settled.

Recommendation: That the Committee decides whether it wishes an Annual Report 2010/11 to be produced and if so how the report should be drafted and settled, particularly the matters raised in 2.5 and 2.7.

1. INTRODUCTION

1.1 Last year saw the production of the first Annual Report of the Standards Committee. This was presented to Copeland Borough Council's April 2010 meeting and was also distributed to all Parish and Town Councils. This report has been prepared to give members of the Committee the opportunity to decide whether an Annual Report should be prepared for 2010/11 and if so how that report should be drafted and settled.

2. ANNUAL REPORT 2010/11 AND EVENTS DURING 2010/11

2.1 Members decided that they wanted to have an Annual Report 2009/10 to draw attention to the work of the Committee and the contribution it had to the ethical governance of the Borough Council and the Copeland Parish and Town Councils. At the time it was anticipated that the Standards processes would continue to be in place for the future. However, shortly after the Coalition Government came to power in May 2010 it made clear that it intended to abolish the Standards Board regime.

2.2 As can be seen from another Item on this Agenda the Localism Bill was published in December 2010 but the exact provisions of the Bill are not currently clear. At the time of preparing this report the Bill is making its way through the Committee Stage in the House of Commons and is unlikely to be enacted until later in the year.

2.3 Although from what we know it is likely that Standards Committees will be able to be appointed by Councils their potential powers are not clear at the moment. Councils are likely to be given the opportunity to decide upon their own Code and to an extent the way in which their Standards Committees are to operate. Our best estimate however is that for most if not all of the forthcoming Municipal Year 2011/12 Standards Committees would remain in place with their current powers.

2.4 Notwithstanding the uncertainties caused by the passage of the Localism Bill through Parliament, if Members wish to have an Annual Report 2010/11, they may wish to review the way in which this Report is drafted in light of last year's experience. Last year the Chairman of the Committee was given delegated authority to settle the report in consultation with the Monitoring Officer, the Committee having considered the general format to be used.

2.5 Although the Report was prepared in good time the arrangement did have the disadvantage that it had not been formally approved by all members of the Committee. To overcome this, should a Report be prepared, Members may still be happy for this to be prepared in the same way as last year provided a final version is also considered by members of the Committee either in paper form or at a formal meeting of the Committee. If this is the case then the Committee is invited to give a view of their preferred method of agreeing the final draft Report.

2.6 Should a Report be prepared some Members did have concerns last year over the need to anonymise some of the information, particularly in respect of those members against whom the Committee decided to take no further action whilst still giving a sense to the public of the type of matters being dealt with by the Committee.

2.7 Over the past twelve months only six matters have been brought to the attention of the Committee. Very broad descriptions of the cases are:-

1. Complaint against a Borough Councillor- re non- Declaration of Interest- dealt with by Standards Committee- penalty imposed.
2. Complaint against a Borough Councillor- re Behaviour- decision to take no further action following informal discussions
3. Complaint against a Borough Councillor- re Behaviour- decision to take no further action following informal discussions
4. Complaint against two Borough Councillors- re Performance of Duties- decision to take no further action

5. Complaint against Borough Councillor- re Behaviour- decision to require Mediation

6. Complaint against Borough Councillor- re Use of Resources- still to be considered by Assessment Sub-Committee, expected to be dealt with by the time of this meeting

Members are asked to give guidance over whether this amount of detail is the level which should be provided in any Report and if not what further details do they wish to see provided.

List of Appendices - None

List of Background Documents: None

List of Consultees: Corporate Leadership Team