

**Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
Standards Committee
held at 5.15 pm on Monday, 21 November 2011
at Headquarters, Shrewsbury**

Present

Members

Councillors Kiernan, Mellings and Murray and non-elected Independent Members, Mr Brereton (from 5.30 pm) and Mr Tebbutt

Officers

Deputy Chief Fire Officer, Monitoring Officer and Corporate Services Manager

1 Election of Chair

It was proposed by Councillor Mellings and seconded by Councillor Kiernan that Mr Tebbutt be elected Chair of the Standards Committee.

There being no other nominations, Mr Tebbutt was duly elected Chair to hold office for the ensuing year.

2 Appointment of Vice-Chair

It was proposed by Councillor Mellings and seconded by Councillor Kiernan that Mr Brereton be elected Vice-Chair of the Standards Committee.

There being no other nominations, Mr Brereton was duly elected Vice-Chair to hold office for the ensuing year.

3 Apologies for Absence

Councillor Bennett had given his apologies for absence.

4 Declarations of Interest

The Chair reminded Members that they should declare any personal and/or prejudicial interests at this point and that they should leave the meeting room before any item, in which they had a prejudicial interest, was discussed.

There were no declarations of interest.

5 Minutes

Members received the minutes of the last meeting of the Standards Committee, held on 12 July 2010.

It was proposed by Councillor Mellings, seconded by the Chair and

Resolved that the minutes of the meeting of the Standards Committee, held on 12 July 2010, be approved and signed by the Chair as a correct record

6 Public Questions

No questions, statements or petitions had been received from members of the public.

7 Standards Committee Constitution

The Committee received a report, which brought the latest version of the Committee's constitution to the notice of its Members.

The Corporate Services Manager advised that, although there were no meeting dates scheduled for the Committee in 2012, it would need to meet in the near future in order to consider the requirements of the Localism Act. Members agreed that a meeting should be arranged for January in order for the Committee's recommendations to be taken to the February meeting of the Fire Authority.

Having considered the constitution of the Committee, Members

Resolved that the report be noted

8 The Localism Bill and the Way Forward for Standards

The Committee received a report, which provided a summary of the changes proposed in the Localism Bill. The report also asked the Committee to make recommendations to the Fire Authority regarding the process for developing an ethical framework, which would conform to the requirements of the Bill.

The Monitoring Officer advised that the Localism Bill, having received Royal Assent the previous week, had now become the Localism Act, and the provisions relating to standards were expected to come into force on 1 April 2012. Regulations and guidance would, however, be required to provide clarity on a number of issues. Although Standards Committees would no longer be mandatory, authorities would be required to uphold high standards of conduct and to have a Code of Conduct consistent with new principles of Public Life. There was also a requirement for Members to disclose pecuniary interests. Failure to do so without reasonable excuse would be a criminal offence. The Act did not, however, define pecuniary interests.

Authorities must have in place arrangements to investigate, and decide upon, allegations of breaches of their Code and such arrangements must include the appointment of at least one independent person. Oversight of the standards regime would be a matter for Members but no sanctions, except censure, would be available to them.

Non-elected, Independent Member, Mr Brereton, arrived at this point (5.30 pm).

The Monitoring Officer said that prior to the January meeting of the Committee he would carry out further analysis of the Act and formulate a series of questions for the Committee to consider. He hoped by then to have had the opportunity to speak with his counterpart at Shropshire Council with a view to achieving consistency of the ethical standards regime across the Fire Authority and its two constituent authorities.

Referring to the report, the Monitoring Officer advised that it was prudent to recommend the appointment of the two non-elected, Independent Members of the Committee for a further term of office, because their expertise would be invaluable during the transition period.

Agreeing that a consistent approach would be the sensible way forward, Members welcomed the idea of involvement of Shropshire Council. They also asked that the Monitoring Officer consider the feasibility of establishing a joint Standards Committee between the three authorities. This had been mooted in the past and now was a good opportunity to revisit the issue. The Monitoring Officer undertook to investigate this option, adding that proportionality and efficiency were essential.

Finally, the Monitoring Officer advised that he had produced a briefing note on the Localism Act, which he would circulate to Members.

It was proposed by Councillor Mellings, seconded by Councillor Murray and

Resolved that the Committee:

- a) Note the proposals outlined in the Localism Act;
- b) Agree to meet in January to consider the process for developing an ethical framework; and
- c) Agree to recommend to the Fire Authority that Mr Michael Tebbutt and Mr Paul Brereton be appointed Independent Members of the Standards Committee from the expiry of their second and first terms respectively for an indefinite period, pending developments relating to the provisions of the Localism Act.

9 Protocol on Gifts and Hospitality

Members received a report, which asked the Committee to review its Protocol on Gifts and Hospitality and to make recommendations to the Fire Authority regarding any changes to be made.

The Corporate Services Manager explained that in September the existing Protocol (attached at Appendix A to the report) had been taken direct to the Fire Authority for review. The Authority had, however, instructed that it was more appropriate for the Standards Committee to carry out the review. It had also asked that the Committee consider how it might simplify the Protocol, as it was rather wordy.

Having considered the Protocol (attached at Appendix B to the report) section by section, Members agreed that it was comprehensive, in that it covered the key points, but it was also clear and simple. It should, therefore, satisfy the requirements of the Fire Authority.

Members also agreed that the Protocol should contain a requirement to declare gifts or hospitality refused, as this provided transparency, as well as protection for Members. Councillor Mellings asked that the forms attached to the Protocol be made available to Members via the Service's website. The Corporate Services Manager undertook to arrange this once the Protocol had been adopted by the Fire Authority.

It was proposed by Councillor Kiernan, seconded by Mr Brereton and

Resolved that the Fire Authority be recommended to adopt the Protocol on Gifts and Hospitality (attached at Appendix B to the report), including a requirement that Members declare gifts or hospitality refused.

The meeting closed at 6.05 pm.

Chair.....

Date.....