

STANDARDS COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Tuesday, 17th February, 2009
at 2.00 pm

MEMBERSHIP

Independent Members

Mike Wilkinson (Chair)	(Independent Member)
Rosemary Greaves	(Independent Member)
Philip Turnpenny	(Independent Member)

Councillors

D Blackburn
C Campbell
JL Carter
J Elliott
E Nash

Parish Members

Councillor Mrs P Walker	Pool in Wharfedale Parish Council
Councillor John C Priestley	East Keswick Parish Council

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct</p>	
5			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To approve the minutes of the Standards Committee meeting held on 16th December 2008.</p>	1 - 6
6			<p>MINUTES OF THE CORPORATE GOVERNANCE AND AUDIT COMMITTEE</p> <p>To note the minutes of the Corporate Governance and Audit Committee meeting held on 21st January 2009.</p>	7 - 12
7		10.4(1, 2, 7c)	<p>CODE OF CONDUCT INVESTIGATION INTO A COMPLAINT AGAINST A MEMBER</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) setting out the final findings of the Investigating Officer in an investigation into an allegation of misconduct.</p>	13 - 90
8			<p>ADMINISTRATIVE PROCESSES UNDERPINNING THE LOCAL ASSESSMENT ARRANGEMENTS</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) updating Members of the Standards Committee on the implementation of those changes agreed at the Standards Committee meeting on 16th December 2008, and also to provide some further options for the Committee to consider.</p>	91 - 110

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY – A CONSULTATION</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) advising the Standards Committee of the current consultation being conducted by the Department for Communities and Local Government in relation to the Code of Recommended Practice on Local Authority Publicity.</p>	111 - 152
10			<p>STANDARDS COMMITTEE TRAINING PLAN</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) seeking Members' comments on the amended Standards Committee training plan, and the Committee's approval of the updated plan.</p>	153 - 160
11			<p>STANDARDS COMMITTEE ANNUAL REPORT 2008/09</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) seeking the Committee's comments on the first draft of the Standards Committee Annual Report 2008/09.</p>	161 - 188
12			<p>STANDARDS COMMITTEE WORK PROGRAMME</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) outlining the contents of the work programme for the rest of the 2008/09 municipal year.</p>	189 - 194