

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Tuesday, 11 July 2006

PRESENT: Mrs Roberts (Chair); Mr Romrose (Deputy Chair); Councillors Crake, Duncan and Pritchard.

Cllr Beardsworth also attended.

1. APOLOGIES

Apologies were received from Mr Hughes and Councillor Allen.

2. MINUTES

The minutes of the meeting of the Committee held on 11 April 2006 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

None.

4. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

The Chair was of the opinion that the following item be discussed as a Matter of Urgency due to the undue delay if consideration were deferred:

Councillor Stewart

Resolved: That the Monitoring Officer report to the next meeting in respect of the situation concerning Councillor Stewart.

5. POLITICAL STRUCTURES- CONSTITUTIONAL AMMENDMENTS- CONTRACT MONITORING

The Solicitor to the Council submitted a report that set out major changes to the Council's Political Structures and Governance arrangements agreed upon 21 July 2005 by Council. He referred in particular to the creation of the Improvement Board to consider recovery issues and the need for all councillors to support the recovery process. The "Contract" was a means by which councillors gave their support to the structural architecture. He referred to Appendix 2 of the report which set out the "Contract", that itself was based upon Nolan Principles. The Committee's role was to monitor this process.

All referrals from senior officers or councillors would be routed through the Monitoring Officer who would mediate, if appropriate. Unresolved matters would be referred to the Committee which could chose to report to Council. There were no particular issues to report upon at present.

The Director for Citizens, Finance & Governing suggested that the Directors' role would be to provide the Committee with a broad snapshot of the situation across the Council.

- RESOLVED:** (1) That the Report be received and that the "Contract" be amended to include all ten principles of public life.
- (2) That Committee have a new standing item on its agenda termed "Contract Issues".

6. ODPM REPORT

The Solicitor to the Council submitted a report that summarised the Government's response to a number of reports including the Committee on Standards in Public Life and recommendations made by the Standards Board for England for changes in the Code of Conduct for Members. He elaborated upon the key points detailed in the report and noted that the change to locally based initial assessment of allegations would require primary legislation. The Solicitor to the Council commented that if the changes envisaged were brought in then changes would be needed to be made to the Council's Constitution and training would be required for all councillors and that there would be a greater involvement of the Committee. The Chair commented that the Monitoring Officer would require adequate support for this. It was noted these issues would be fed into Service Plans but that the workload would be unpredictable. If Councils locally could cooperate this might help to spread the load.

RESOLVED: That the report be noted.

7. NEWSLETTER

A draft of Issue 3 of the Standards Committee Newsletter was circulated and a wider officer circulation was discussed.

RESOLVED: That subject to revising the membership of the Standards Committee and including the Monitoring Officers' contact details, the Newsletter be approved for publication.

8. DRAFT WORK PLAN FOR STANDARDS COMMITTEE

The Solicitor to the Council submitted two reports, one which considered the work undertaken by the Committee during 2005/06 and the second which provided suggestions for a work plan for 2006/07. It was agreed that a review of progress on meeting the Training Plan would be added to the work plan.

The Solicitor to the Council commented that a programme of items for subsequent meetings of the Committee on 17 October 2006, 9 January 2007 and 10 April 2007 in line with the work plan would be devised.

RESOLVED: That the report be received.

(NB: Please note that because of the Standards Conference the next meeting of the Committee will now take place on 31 October 2006 at 5.00pm)

9. LOCAL DETERMINATION HEARING PANEL

The Solicitor to the Council submitted a report that indicated that Local Standards Committee could appoint sub-committees for the purposes of hearing local determinations. However this process could not be used for hearing allegations against parish councillors, which the whole Committee would have to hear.

- RESOLVED:** (1) That the Committee appoints a sub-committee pursuant to Section 54A of the Local Government Act 2000 for the purpose of conducting hearings into allegations of failure to comply with the Code of Conduct which fall to be determined locally by Standards Committee (but not Parish Council matters).
- (2) That this sub-committee be known as the Local Determination Hearings Panel.
- (3) That the Local Determination Hearings Panel have all the powers of the Standards Committee in relation to the conduct of hearings, the making of determinations (including reference back to the Ethical Standards Officer) and the imposition of penalties.
- (4) That the Panel be made up of any three members (of which at least one shall be an independent member) of the Committee.

10. TRAINING

The Corporate Manager for Legal and Democratic Services commented that councillor development was moving from Democratic Services to Learning and Development. The Council had now committed two per cent of its staffing budget to learning and development. Councillors would now be part of this. It would give councillors opportunities to attend the same courses that staff went on. There was a Staff Board which oversaw staff training and the existing Councillors Project Board would be modified to advise on the sort of training councillors wanted.

The Learning and Development Manager commented that the main thrust of training for councillors on the committee appeared to be on the role of Committee, protecting standards, the conduct of hearings and auditing the monitoring role. It was noted that all councillors needed training on the Code of Conduct and standards generally as part of their induction and that this included parish councillors as well. It was commented that staff also needed an understanding and a level of support as well.

RESOLVED: That a proposed training plan be submitted to the next meeting of the Committee.

11. ETHICAL GOVERNANCE TOOLKIT

The Corporate Manager for Legal and Democratic Services commented that subsequent to the last meeting of the Committee the toolkit had been further investigated. There was no current staffing resource to implement it and neither was there a budget to purchase it. Whilst the Committee had a statutory duty to audit the work it had carried out the toolkit was just a tool and there were probably other ways of being able to comply with the requirement without necessitating the purchase and implementation of it. It was noted that few other Authorities were using or proposing to using the toolkit as an auditing tool.

RESOLVED: That an alternative method of auditing the Committee's work be submitted to the next meeting of the Committee.

12. NEW INDEPENDENT MEMBERSHIP

The Solicitor to the Council reported that Council had approved two additional places on the Committee, one being an independent member and one being a Parish member. It

was noted that steps would be put in hand to advertise for a further independent member as part of the succession planning for the periodic replacement of the independent members.

RESOLVED: That the position be noted.

13. CLLR BOSS

The Solicitor to the Council submitted the case summary published by the Standards Board for England in respect of allegations that had been made against Councillor Boss in the determination of a planning application. The Standards Board had concluded that there was no evidence to support the allegations that had been made against him.

RESOLVED: That the position be noted.

The meeting concluded at 19.32 hours

M4683