

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 16 June 2008

PRESENT: Councillor Harley (Chair); Mr Hughes, Mr Morris, Mrs Moss, Councillors Capstick, Matthews and Flavell

1. APOLOGIES

Apologies were received from Cllr Hawkins and Mrs Edwards.

2. MINUTES

The minutes of the meeting held on 10 March 2008 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

None.

4. DECLARATIONS OF INTEREST

None.

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

None.

6. APPOINTMENT OF TWO INDEPENDENT MEMBERS

The Chair commented that the Committee had made a decision to double the number of Independent Members from two to four and that following a rigorous selection procedure Mrs G Moss and Mr T Morris had been selected. Mrs Moss and Mr Morris were welcomed to the meeting. It was hoped that a fourth appointment would be made shortly.

RESOLVED: (1) That the appointment of Mrs Moss and Mr Morris as Independent Members of the Committee be confirmed.

(2) That the thanks of the Committee be recorded to the Solicitor to the Council and J Buckler for their work resulting in these appointments.

7. STANDARDS COMMITTEE - LOCAL DETERMINATION OF CONDUCT COMPLAINTS

The Solicitor to the Council submitted a report and commented that the new regulations had been published at the beginning of May. He commented that in essence it would be necessary for the Committee to set up three Sub-Committees, a Referral Sub-Committee, a Review Sub-Committee and a Hearing Sub-Committee details of which were set out in Appendix 1 of the report. He further commented that training sessions for the Committee, all Councillors and officers would be held following the completion of a Procedures Manual.

The Chair commented that with the changes that the new regulations brought it would be important for the Chief Executive and senior Councillors to attend meetings of the Standards Committee in order to reassure the Committee of the importance of ethics and probity to all workings of the organisation. The Solicitor to the Council commented that in future he intended to present an Annual Report on the work of the Committee to Council.

The Chair commented that it was important for the Committee to support the Monitoring Officer and it was noted that those authorities that had done well in their CPA assessments tended also to be supportive of their Standards Committee .

The Chair referred to the Standards Board for England Bulletin 38 which had been circulated and which largely gave an explanation of the new regulations but also referred to complaints made by the public and provision of a press toolkit.

- RESOLVED:**
- (1) That subject to paragraph (c)2 of Appendix 1 of the report being amended in the second line to delete the words “in the matters that are not ...” and the substitution of the words “with exception of the ...”, the report be approved.
 - (2) That the Monitoring Officer arrange the appropriate publicity in accordance with the regulations and guidance.
 - (3) That three Sub-Committees; a Referral Sub-Committee, a Review Sub-Committee and a Hearing Sub-Committee be established as detailed in Appendix 1 of the report.

8. STANDARDS COMMITTEE HEARING

The Chair referred to the report circulated with the agenda which set out a resume of a Hearing that had been held on 20 February 2008 and 23 May 2008. In doing so he thanked Councillors Capstick and Matthews for their support. The Hearing had been adjourned in February so as to allow the Investigating Officer to seek further information. The Panel had agreed the Investigating Officer’s recommendations.

It was agreed that the length of time a process had taken was unsatisfactory but as the complainant had originally made a complaint to the Monitoring Officer who had carried out a pre-investigation, the response to which the complainant had objected to and subsequently complained to the Standards Board for England who had then carried out their own investigation before referring the matter back to the Council.

The Solicitor to the Council noted that under the new regulations the Referral Committee would act as a filter. It would allow for some discretion. If a complainant objected to the decision reached by the Referral Sub-Committee then the Review Sub-Committee would examine that decision. If the Review Sub-Committee concurred with the Referral Sub-Committee then the complainant had the option of seeking a Judicial Review. In appropriate circumstances the Monitoring Officer could mediate between the parties. However if a formal complaint was made then it must be referred to the Referral Sub-Committee first.

It was noted that the Committee did not have a formal budget although the cost of the Hearing would be met from a reserve that had been created for these purposes. The Chair noted that he was shortly to have a meeting with the Chief Executive and would discuss with him the need for the Committee to have an adequate budget for matters such as training, the newsletter and attendance at the Standards Conference.

- RESOLVED:** That the report be noted and that the Solicitor to the Council give a further explanation of the time line that had applied for this particular Hearing.

The meeting concluded at 18.25 hours

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