

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Thursday, 26 March 2009

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

1. APOLOGIES

Apologies were received from Councillor Hawkins.

2. MINUTES

The minutes of the meeting of the Committee held on 16 December 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. STANDARDS BOARD PUBLICATIONS

The Borough Solicitor submitted a report which appended issue 42 of the Standards Board "Bulletin".

The Chair referred to the section on Annual Returns and commented that this would be useful to be able to learn from experience elsewhere in the country. He also referred to the Notice of the Annual Assembly on 12 & 13 October at Birmingham ICC and suggested that as many members of the Committee as possible should attend. The Borough Solicitor noted that he was due to have a discussion with the Council's Training Development Officer so as to discuss the availability of funding.

The Borough Solicitor commented that as far as he was aware the Independent and Parish Councillor representatives on the Committee were covered by the Council's standard indemnification arrangement. However he would clarify the situation.

RESOLVED: That the report be noted.

7. R (ON THE APPLICATION OF GARDNER) V HARROGATE BOROUGH COUNCIL (2008) EWHC 2942 (ADMIN)- COMMENT

The Borough Solicitor submitted a report that set out the details of R (on the application of Gardner) v Harrogate Borough Council which was of interest as it set out the jurisdictions of the Local Government Ombudsman and the Standards Board for England.

RESOLVED: That the report be noted.

8. R (ON APPLICATION OF MULLANEY) V THE ADJUDICATION PANEL FOR

ENGLAND (2009) ALL ER(D) 102 (FEB)- COMMENT

The Borough Solicitor submitted a report that set out the results of R (on the application of Mullaney) v the Adjudication Panel for England which the Courts had confirmed that a definition or explanation of "official capacity" was that the words should have their ordinary English language meaning and should be applied straight forwardly in that sense.

RESOLVED: That the report be noted.

9. STANDARDS COMMITTEE WORKSHOP TO DISCUSS WORK PLAN

The Chair commented that at the last meeting he had reported on the 2008 Annual Assembly and also the discussion that the Committee had had in respect of its future direction and its wish to achieve high standards throughout the Council. The Chair had subsequently met with the Chief Executive and Group Leaders who had supported the role of the Committee and its need to be independent. It was also noted that this meeting with the Group Leaders had also been referred to by the Leader of the Council in one of his Portfolio Holder reports to Council.

The Chair commented that there was a need for the Committee itself to be trained and for it to agree its overall direction and to set out a business plan and subsequently agree roles to enact that plan. The Chief Executive and Group Leaders had all agreed in principle to attend such a workshop and make addresses endorsing their support of the Committee and its aims. The Chair commented that it had a meeting with the Council's Training Officer to discuss themes for a workshop which would include the purpose of the Committee, achievements to date, expectations, good practice from elsewhere and approaches to issues. The Committee needed to influence the direction in which it should move to achieve higher standards and should also include standards for officers including whistle blowing audit and similar provisions. He hoped that the workshop would be arranged for June.

It was noted that the choices the Committee made needed to be relevant to Northampton Borough Council and that the best practice should relate to those issues. It was also important for the Committee to have an adequate budget particularly for training. Comment was made that chairing skills for the independent members was important given their role on the various sub-committees.

Councillor Capstick commented that an approach had been made that a member of Cabinet should also be a member of the Standards Committee. She commented that this had been raised at a Labour Group meeting and concern had been expressed at this suggestion. Concerns at this suggestion were raised by members of the Committee and the Borough Solicitor noted that although the law would allow for an Executive member to be a member of a Standards Committee very few Councils had actually implemented this. Standards Committees needed to be seen to be independent.

The Borough Solicitor noted that the appointment of a further independent member was being processed.

RESOLVED: That a workshop for Standards Committee members be arranged for June 2009 on the terms discussed.

The meeting concluded at 18.22 hours

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