

# **NORTHAMPTON BOROUGH COUNCIL**

## **STANDARDS COMMITTEE**

**Monday, 18 October 2010**

**PRESENT:** I Harley (Chair); Mrs Moss (Deputy Chair); T Morris, M Edwards, W Lovell and Councillors P Flavell, Hollis and Matthews and T Scott

### **1. APOLOGIES**

An apology was received from David Hughes. The Chair welcomed Wendy Lovell – Northamptonshire County Council Vice Chair of Standards Committee.

### **2. MINUTES**

The minutes of the meeting held on the 14<sup>th</sup> June 2010 were signed as a true record. Cllr Hollis requested an update on the Proportionality Upgrade from the Borough Solicitor at the next Standards meeting to be held on the 13<sup>th</sup> December 2010.

### **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. THE FUTURE OF THE STANDARDS REGIME**

A report submitted on behalf of the Borough Solicitor informed the Standards Committee of the new Government's proposal to abolish the Standards Board Regime. The Communities and Local Government Association (LGA) released details of the announcement. It was noted that Standards for England had released a statement, which outlined their intention to continue to work and support local authorities under the existing regime while the statutory framework remained operative.

Cllr Hollis argued that the abolition of the Regime could lead to the criminalisation of some Members for low-level procedure, which could quite simply have been a genuine misunderstanding or mistake rather than a calculated attempt to gain by ill-gotten means.

The Chair reported that the Standards Board was not a 'Police' of the Council, but had led to an increase in the general conduct of Councillors and respect between Member and Officer working relationships. Cllr Flavell also argued that the existence of the Standards Board made other Councillors aware of consequences of disrespectful behaviour and bad

conduct and without it, there would be a potential for such behaviour to continue as there would not be an awareness of how or where to report it to. It was further argued that the whilst the Local Government Ombudsman would investigate complaints made against Councillors, the more layers and distance complainants had to be involved in, would inevitably dissuade and deter the reporting of unprofessional behaviour and conduct.

Cllr Scott argued that the communication circulated by the Communities Minister and the Communities Secretary was aimed at personal gain level and that the majority of complaints that had been brought forward to the Committee were of matters of Councillor conduct and behaviour and that any illegal activity that had resulted in personal gain would always have been investigated by the police. She further explained that the message being sent out to Officers was negative and that the Standards Board Regime had acted in a preventative rather than as a prosecutor measure.

Cllr Matthews remarked that there was a general shift of the new Government to support the notion of decentralisation and localism. However, the abolition of the Standards Board Regime was the opposite of that and that 'local part' was being shifted away thus power being given to the Ombudsman, whom it was noted was not located locally.

The Chair congratulated the Borough Solicitor and his team for having in the past, dealt with complaints very quickly and efficiently.

In response to a question asked by Cllr Flavell, it was explained by the Borough Solicitor, that the proliferation of complaints made to the Standards Board had resulted in greater publicity, accessibility and transparency in the reporting of undesirable conduct of Council Members.

The Chair requested information with regards to support offered by political parties as to whether the political party leaders would support the notion of him writing to the Communities Minister (Andrew Stunnell) and the Communities Secretary (Eric Pickles) expressing concern at the proposed abolition.

**Resolved that:**

- 1. Members noted the new Government's proposals.**
- 2. The Chair would write a draft letter to the members of the Standards Committee requesting comments. Once the letter was amended the Chair would further circulate the final copy to:**
  - ACSeS – Senior Solicitors**
  - Association of Local Councillors**
  - Association of Parish Councillors**
  - MP's Nick Clegg, Andrea Leadsom, Brian Binley and Michael Ellis**
  - Leaders of the Northampton Borough Council Political Parties**

## **7. STANDARD FOR ENGLAND - BULLETIN NO. 48**

A report was submitted on behalf of the Borough Solicitor with regards to the Standards for England (SfE) August 2010 Bulletin no 48. It was noted that the anticipated abolition of the Standards Board Regime and the final closure of the organisation was expected between 31 December 2011 and the 31 March 2012.

The Chair explained that in the meantime, the local standards framework would still exist and that the Standards Board would still be bound by a statutory obligation to continue to meet and monitoring officers would have an obligation to keep the system operating during that time. It was also reported that as part of the Monitoring Returns of the Business Plan, requests had been made for local authorities to complete quarterly monitoring. However, no further requests would be made for the submission of quarterly or annual returns.

The Chair suggested that a press release be issued to raise the profile and understanding the effects of the abolition of the Standards Board Regime would have not only for the Council but also the General Public.

### **Resolved that:**

- 1. Members noted the contents of the Bulletin**
- 2. Political Parties gain support of the Political Leaders and request a press release be issued in order to publicise the consequences of the loss of the Standards Board Regime.**

## **8. INDEPENDENT MEMBER RECRUITMENT**

A report was submitted that informed the Standards Committee about the progress of the recruitment of a new Independent member to replace a retiring Independent member.

It was noted that previously the Council had experienced difficulties in recruiting Independent members. However, 8 applicants were to be interviewed and the number of applicants reflected a more representative response of the diverse community the Council serves. It was explained due to the abolition of the Standards Board Regime; applicants would be informed that the position of Independent member might be relatively short lived.

The Chair expressed his thanks and gratitude to the retiring member, Glenice Moss, and on behalf of the Committee wished her luck in her future endeavours. She confirmed that she would remain an Independent Member until the end of November 2010.

### **Resolved that:**

**The 8 applicants who submitted completed applications in response to the authority's advertised request be interviewed in order to fill the vacancy.**

## **9. EXCLUSION OF PUBLIC AND PRESS**

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

## **10. COMPLAINT AGAINST A PARISH COUNCILLOR**

A report was submitted on behalf of the Borough Solicitor, which outlined an investigation undertaken by the Council's Monitoring Officer in connection with a complaint made against a Parish Councillor.

It was explained that during the investigation, the Parish Councillor had expressed concern and had continued to be honest and upfront about the allegations during the investigation. The Solicitor further reported that the Monitoring Officer was satisfied that no further action should be taken against the Parish Councillor. Moreover, the Monitoring Officer had written to the complainant about the matter to explain how seriously the allegations had been taken and to invite her to discuss the outcome of the other action taken but no further correspondence had been received from the complainant.

Cllr Scott suggested that further training should be given to Parish Councillors with regards to conduct to avoid further complaints.

### **Resolved that:**

**By the action taken by the Council's Monitoring Officer the matter had been satisfactorily concluded.**

The meeting concluded at 18.38

M6488