

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 7 March 2011

PRESENT: I Harley (Chair); T Morris (Deputy Chair) Z Turner, D Hughes Mrs G Moss; Councillors Flavell, Hollis, Matthews and Scott

1. APOLOGIES

None

2. MINUTES

The minutes of the meeting held on the 13th December 2011 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

The Chair welcomed Margaret Edwards to the Committee

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. UPDATE ON RESPONSE TO CORRESPONDENCE SENT TO COMMUNITIES SECRETARY.

The Chair reported that he had written to the Community Secretary with the regards to the abolition of the Standards Board Regime. He distributed a handout, which summarised the responses from various MPs and Councillors. He explained that one of the main arguments in his letter in favour of retaining the Standards Board Regime was that it had acted in a way that protected Councillors as well promoting ethical and proper conduct amongst elected Members.

Councillor Flavell commented that it would be a positive and progressive step to take the opportunity to outline and suggest what would constitute a good a Standards Committee if there should be a change in administration following the May 2011 elections. Councillor Scott commented that people were under the impression that the Standards Board Regime had already been abolished and expressed concern that it may not hold as much kudos.

Councillor Hollis argued that working in partnership with other local authorities should be explored and suggested it be taken county wide; if the Council were unable to adjudicate in-house, this would provide the opportunity to continue a practising Standards Committee.

Councillor Matthews argued that as the Standards Board Regime had continued there had been a decrease in the number of Councillors reported and argued that this was as a result of increased standards of conduct amongst Councillors.

Councillor Hollis reported that it should be remembered that the Localism Bill had not yet

been made an Act and thus the Standards Board Regime would continue for some time. She reported that it would be of use for the Chair of the Committee to liaise with the relevant people and draft a document which would outline the conduct and standards expected at the Council, more graphically than the Code of Conduct, for after the elections, with particular regards being paid to newly elected members.

The Chair reported that he would like to communicate with Party Leaders and senior officers to explain the achievements of the Standards Committee and to publicise the fact that not only had it been a tool to ensure that Councillors worked to an ethical criteria, but it had also protected Councillors from having vexatious reports made against them. He commented that he was aware that under the abolition of the Regime reports would have to be investigated by the police or the Local Government Ombudsmen, which would be arduous, lengthy and arguably impractical.

Questions were raised with regards to the current Code of Conduct, which was a statutory requirement for all Councillors to sign and adhere to. Under the abolition of the Regime, the validity of this was unknown and it was suggested that a voluntary Code of Conduct be explored to ensure that there would be some Standards in place, which would be followed by elected Members.

The Chair commented that the Monitoring Officer had informed him that all cross party Councillors of the Council, had been in agreement about the role of the Standards Committee and the work that had been undertaken and recognised.

RESOLVED:

- 1) That members note the contents of the oral report
- 2) That the Chair collates recommendations of the Committee with regards to drafting a new Code of Conduct to be discussed before the May 2011 Elections.

7. APPOINTMENT OF INDEPENDENT MEMBER

The Chair welcomed Zillah Turner to the Standards Committee. The Chair reported that Zillah had been appointed as new Independent Member, who replaced a retiring Independent member, following the passing of a resolution at Full Council on the 17th January 2011.

RESOLVED:

That Members noted the passing of the resolution.

8. SCRUTINY CONSULTATION - MAINTAINING HIGH ETHICAL STANDARDS IN LOCAL GOVERNMENT

A report was submitted on behalf of the Borough Solicitor, which members were informed of the content of correspondence from the Chief Executive of the Local Government Association concerning the changes proposed in the Localism Bill following the forthcoming abolition of the Standard Regime.

The Chair commented that he felt the letter of the Local Government Group was peppered with contradictions. It was explained that the Local Government Group was a nationwide group that was made up of six organisations who worked together to support, promote and improve local government. However, the Chair insisted that whilst they were concerned with 'best practise', he did not agree with their opinion that the abolition of the Standards Regime. It was reported in the letter that the Standards Regime was regarded by local government agencies as being 'over-bureaucratic, burdensome and too prescriptive' something which the Chair strongly disagreed with.

Referring to Appendix 2 of the report, where it was stated that 'Elected members will be required to continue to register and declare personal interests and will not be allowed to use their position improperly for personal gain. The government intends that wilful failure to comply with these requirements will constitute a criminal offence'. The Chair argued that the statement was very vague and was very much down to interpretation. It was further noted that the changes proposed in the Bill included the abolition of the model code of conduct, whereby if it was felt necessary, local authorities would be able to adopt their own. However, such committees would be able to censure Members but would not be able to suspend or disqualify members from council membership.

It was explained that should members fail to register their relevant interests the Bill would strengthen this aspect by making it a criminal offence. However, it was argued that with the Police cutbacks and workload in general, it would not be seen or investigated as a priority. The Chair remarked that the Council was a very different place in terms of the work undertaken by the Standards Committee in recent years and questioned whether a transition to an autonomous Standards Committee would be as productive.

RESOLVED:

That the report be noted.

9. MONITORING REPORT - LOCAL FILTER STATISTICS

A report was submitted on behalf of the Borough Solicitor, which informed members of statistical data compiled by the Monitoring Officer in relation to complaints made to the Standards Committee about Councillors. It was noted that in view of the abolition of the Standards Regime, Standards for England had ceased collecting data through quarterly and annual returns. It was further reported that the Council continued to collect this data for it's own internal ethical and governance monitoring.

The figures were discussed and explained and information was given in relation to the figures, which included an investigation carried out by the Council at another authority due to a conflict of interests.

RESOLVED:

That the report be noted.

10. 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.

The meeting concluded at 18.38