

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Tuesday, 10 April 2007

PRESENT: Mrs Roberts (Chair); Mr Romrose (Deputy Chair); Mr Hughes, Councillors Allen, Edwards and Crake

ACTION

1. APOLOGIES

Apologies were received from Councillors Duncan and Pritchard.

The Chair noted that Councillors Allen and Pritchard would not be standing at the forthcoming elections on 3 May 2007 and thanked both of them for their work on the Committee and wished them well for the future.

2. MINUTES

The minutes of the meeting of the Committee held on 31 October 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

None.

5. CPA PROGRESS REPORT

The Solicitor to the Council submitted a report that summarised the Audit Commission's Progress Assessment, which had been published in February 2007. The conclusions of the Progress Assessment would impact upon the work of the Committee. Criticisms had been made of the political and managerial leadership of the Authority. He reminded the Committee that representatives from the Audit Commission had attended its last meeting and in subsequent feedback had indicated that the Committee was challenging behaviour and was moving in the right direction, albeit that more needed to be done. The assessors had been aware of adverse press coverage at that time. He further commented that Standards issues would form a major part of Councillors induction and ongoing training.

Mr Hughes queried whether Parish Councillors would be included in the training programmes as had been done previously.

StoC to consider inclusion of Parish cllrs for

The Solicitor to the Council commented that the Council had now

appointed an Interim Chief Executive and the CPA had produced specific recommendations which were to be implemented by June, at which time a smaller scale reassessment would be carried out and other action points resulting from the February assessment were being brought together under an action plan. A small team had been put together to focus on all of this and the Committee would receive reports on any appropriate issues. training

In answer to a question the Solicitor to the Council commented that a review of the Planning Protocol and planning induction processes had been undertaken.

The Solicitor to the Council commented that the Council had a short term Corporate Plan in place and medium to long term planning was taking place. Standards issues could be part of it. He commented that induction programmes were being developed and each member of the Committee needed to be a champion for Standards. At what point the Chair, Deputy Chair and Mr Hughes could take part in this process needed to be considered. The Solicitor to the Council also commented that a reminder on Standards issues would form part of all Committee agendas following the elections.

StoC to issue advice with all C'ttee agendas

RESOLVED: That the report be noted.

6. UPDATE ON PROPOSED CHANGES TO THE MODEL CODE OF CONDUCT

The Solicitor to the Council submitted a report that set out the proposed changes to the Model Code of Conduct for members. The consultation had ended on 9 March 2007 and no particular comments had been received from Councillors. The Government had published the Statutory Instrument on 4 April 2007 and the changes in the report had now been confirmed subject to two slight amendments. These changes would form part of future training. Councillors would be bound by it and would sign up to the Code when signing acceptance of the office of Councillor. The alterations to the Code would be notified to Councillors before 3 May elections.

StoC to notify all existing cllrs of changes

RESOLVED: That the report be noted.

7. CLLR STEWART

The Solicitor to the Council reminded the Committee that the issue had been Councillor Stewart's refusal to make an apology at a Council meeting following his conviction for drink driving. Since that time the Ken Livingstone case had been determined by the High Court in which it had been concluded that behaviour not part of an official function was not covered by the Code of Conduct. The case had been properly referred by the Standards Board for England to the Council as the interpretation of the law stood at that time ie., before the High Court decision. He noted that several Councils had been affected by the decision. Subsequently a member of the public had complained to the Standards Board that Councillor Stewart had not apologised but the Standards Board for England had now indicated that they were not going to take the issue any further. Accordingly, he recommended that no further action be taken. He

noted that the law was to be amended to clarify that some behaviour whilst not on official duty would in fact be covered by the Code of Conduct.

RESOLVED: That the position be noted and no further action be taken against Councillor Stewart.

NB Councillor Edwards declared a personal interest in this item and spoke and voted thereon.

8. ETHICAL GOVERNANCE HEALTH CHECK/ AUDIT

The Solicitor to the Council submitted a report commenting that the Committee had considered a detailed report at its previous meeting on 31 October 2006. The Committee had considered the options available and resource issues. It was noted that at the present time the outcome of the bid for funding to carry out the audit as part of the Budget process was unknown.

The Chair expressed concern at the length of time it was taking to implement this work.

RESOLVED: (1) That the work to carry out the self-assessment and audit be given a high priority and that the position in respect of funding for the audit be clarified urgently.

(2) That the way forward as set out in paragraph 4 of the report be approved and a questionnaire for senior managers and Councillors be devised.

9. PROTOCOL FOR MEMBERS ON OUTSIDE BODIES

The Solicitor to the Council reported that he had received no comments on the draft Protocol and proposed that it be approved.

In answer to a question the Solicitor to the Council commented that the Council had previously given approval for an increase in the membership of the Committee by one independent member and one further Parish Council's member. This was a first step towards ultimately having a majority of independent members. He noted that the workload of the Committee was likely to increase as complaints were due to come straight to the Committee rather than being referred in the first instance to the Standards Board for England.

At this juncture (18:10 hours) the meeting was adjourned by the Chair due to an interruption by a member of the public. The meeting reconvened at 18:20 hours.

The Solicitor to the Council commented that an advertisement for an independent member had been made in November to which there had been a response from three individuals. In accordance with the existing procedure these applications had been referred to the three group leaders. In practice two of the group leaders had considered the applications and whilst none had been deemed as unsuitable concern had been expressed that the respondents were not widely representative of the population of

Northampton. They had suggested that some targeted advertising should take place.

The Chair expressed concern at the length of time this was taking as the Committee's original intention had been that a new independent member and Parish Council's member would be in place in time to coincide with elections and the training that would take place thereafter.

It was noted that further targeted advertising at the University, the Chamber of Commerce, the PCT and large local employers could take place within the next ten days.

It was noted that the second Parish Council representative had been confirmed as Margaret Edwards but her position as a member of the Committee would be clarified with her.

StoC to contact Mrs Edwards

RESOLVED: (1) That the Protocol for members on Outside Bodies be approved.

(2) That the appointment of a further independent member to the Committee and a further Parish Council member to the Committee should be dealt with urgently.

(3) That the targeted advertising at the University, the Chamber of Commerce, the PCT and large employers throughout the Town be undertaken within the next ten days.

(4) That should the advertising undertaken in (3) above not produce a wider pool of suitable appointees as anticipated then it be recommended to the Group Leaders that an appointment be made from one of the three initially assessed applicants.

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.

11. COUNCILLOR ISSUES (1)

The Chair commented that she, the Deputy Chair and the Solicitor to the Council had met with Councillor X on 23 February 2007 and had concluded that his complaints may not have been fully investigated. Subsequent to this meeting the Solicitor to the Council had written to Councillor X in order for him to clarify the complaints he was making so that the issues could be properly re-investigated. The Solicitor to

StoC to report

the Council would keep the Committee updated as appropriate.

as necessary

RESOLVED: That the position be noted.

The meeting concluded at 19.45 hours

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