

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 10 December 2012

PRESENT: Councillor Yates (Chair); Councillor Capstick (Deputy Chair); Councillors Glynane, Oldham, Patel and Sargeant

1. APOLOGIES

Apologies were received from Councillors Eales and Flavell.

2. MINUTES

The minutes of the meetings of the Committee held on 18 June and 15 October 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

Ms Sweetser commented that she had submitted a standards complaint on 2 June 2012 and had understood that under the transitional arrangements from the old system to the new it would be dealt with under the old process. She had been advised that her complaint would be dealt with under the new arrangements.

The Borough Secretary and Monitoring Officer reported that the Localism Act 2011 had abolished the old arrangements for dealing with standards complaints but that transitional arrangements which had been enacted meant that cases being dealt with under the old system, had to be completed in accordance with the new system. He confirmed that Ms Sweetser's complaint was still alive and would be dealt with under the new arrangements.

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 TRAINING UPDATE

The Borough Secretary and Monitoring Officer submitted a report that provided an update of the Member training sessions held on 19 November 2012 and elaborated thereon. He reported that some aspects of the new arrangements remained confused: at a recent meeting of District Secretaries no consensus had emerged as to the need for Councillors to declare interests or seek dispensations when taking part in and voting on budget/Council Tax decisions.

Mr Hughes remarked on a similar situation at Billing Parish Council where they had received conflicting advice from a number of bodies concerning the ability of Parish Councillors to take part in and vote on the parish budget.

In answer to questions the Borough Secretary and Monitoring Officer stated:

- It was a legal requirement that Disclosable Pecuniary Interests of a Member included those of a spouse or civil partner but did not have to be separately identified as such;
- Further advice was available in respect of interests through "close family members";

- Members of the Committee would, in effect, become champions for Standards within their Groups; and
- Copies of the training presentation would be circulated to all members.

RESOLVED: That the report be noted and that further consideration be given to further specific training for Committee Members following the circulation of the training course presentation.

7. CURRENT LEVEL OF COMPLAINTS

The Borough Secretary and Monitoring Officer submitted a report that set out an update on outstanding standards complaints and elaborated thereon. He noted that under the transitional arrangements Council had appointed Ian Harley, the former Chair of the previous Standards Committee, as the Independent Person but that this only lasted until July 2013. Further recruitment, probably of more than one Independent Person, would be necessary. To date, the Independent Person had been involved in all of the initial assessments and although no-one could step in to undertake this role for any reason of unavailability, Mr Harley had agreed to remain contactable.

In answer to questions the Borough Secretary and Monitoring Officer commented that:

- The Localism Act 2011 had simplified the old system. The Monitoring Officer was empowered to carry out initial assessments but hearings following an investigation into alleged breaches of the Code of Conduct would be conducted by the Committee;
- Any investigation that showed a potential criminal offence would be referred to the Police and subject to advice from them any consequent investigation by them would run in parallel to any investigation into an alleged breach of the Code of Conduct by the Monitoring Officer. Such circumstances were likely to be rare; and
- Timely arrangements would be put in hand for the recruitment of Independent Persons before the transitional arrangements ended in July 2013 and would include seeking applications from as broad a spectrum of the general public as possible and the consideration of appropriate remuneration (any final decision on appointment would be made by Council via a recommendation from the Committee).

RESOLVED: That the report be noted and that the Committee consider at its next meeting the arrangements for the recruitment of Independent Persons.

The meeting concluded at 17.41