

**NORTHAMPTON BOROUGH COUNCIL**

**STANDARDS COMMITTEE**

**Tuesday, 18 September 2007**

**PRESENT:** Mr I Harley (Chair); Mr D Hughes; Councillors Capstick, Hawkins and Matthews

**ACTION**

**1. APOLOGIES**

Apologies were received from Councillor Flavell and Mrs Edwards.

**2. MINUTES**

The minutes of the meeting of the Committee held on 10 July 2007 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. NEW CODE OF CONDUCT- UPDATE**

The Solicitor to the Council submitted a report and commented that all the parishes except one had now adopted the new Code of Conduct. The outstanding parish was due to adopt the Code on 19 September 2007. Mr Hughes noted that Billing Parish Council had wholeheartedly supported the adoption of the new Code.

The Solicitor to the Council commented that new Declaration of Interest forms had been sent to Councillors and were due to be returned within twenty eight days. The Chair commented that he would complete an Interest form.

FMcG

In answer to a question the Solicitor to the Council indicated that there was no legal requirement for Members' interests to be available on the website but would, most likely, need a Council decision to do this. Councillor Matthews expressed reservations in terms of the potential for the misuse of the information.

**RESOLVED:** That the report be noted and that the Solicitor to the Council investigate the issues around the publication of Members' Declaration of Interests on the website.

## **6. WORK PLAN**

The Solicitor to the Council submitted a report and referred to the Appendix commenting that discussions were ongoing with the Members Development Section, in order to fund and programme the training issues identified. It was hoped to be able to take up some places on training sessions organised by the County Council.

It was noted that previous Councillor attendance at Standards related training had been poor; in a cultural sense, the Council needed to be in a position where Members appreciated the importance of a robust, ethical framework. It was noted that ethics and the Code of Conduct did form part of Councillors' core training.

It was noted that some cross-party discussions might be taking place to agree a common interpretation of certain parts of the Council's Constitution and to agree expected conduct, standards and behaviour at meetings. It was noted that the Committee could lend its support to this process.

The Chair commented that the proposed work plan appeared both manageable and focused.

**RESOLVED:** That the work plan set out in Appendix A of the report be agreed.

## **7. APPOINTMENT OF INDEPENDENT MEMBERS**

The Solicitor to the Council reported that it had proved difficult to identify suitable candidates. He was trying to get a panel that was more diverse to reflect society in Northampton. This issue had been discussed at a local District Secretaries meeting with a view to finding advice on how to broaden the approach for candidates.

It was noted that the Residents' Councils and the Council's own Forums could be vehicles for advertising vacancies for the Independent Members. Concern was expressed that the filling of these vacancies should be pursued as a priority.

FF

**RESOLVED:** That the report be noted and that members of the Committee nominate target areas for an advert to be placed to the Solicitor to the Council.

## **8. PAST STANDARDS COMMITTEE NEWSLETTERS**

The Solicitor to the Council submitted a report and referred to the examples of previous newsletters that had been sent to Councillors and Parish Councillors. It was noted that the newsletters had been seen as a mechanism to complement training that Councillors had undergone. The format and content of the previous newsletters was welcomed.

Mr Hughes commented that the content of the newsletter might be useful to editors of community newsletters as certain aspects would also be useful content for them.

**RESOLVED:** That a draft newsletter be prepared for publication shortly

after the next meeting of the Committee on 17 December and that consultation on it take place before that meeting takes place.

## **9. STANDARDS BOARD UPDATE**

The Solicitor to the Council submitted a report that appended Bulletin 35, and which contained an annual review. It was noted that referrals in 2007 had increased over 2006 and that referrals from members of the public were increasing.

**RESOLVED:** That the report be noted.

## **10. LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH BILL**

The Solicitor to the Council submitted a report that set out the changes that the Bill would make for the work of Standards Committees and commented that the Bill itself was the result of a review of the Local Government Act 2000. He noted that complaints would be initially assessed by local Standards Committees rather than the Standards Board, which would lead to the Committee having a more “hands on” role. The handling of these issues would need to be considered perhaps by the creation of sub-committees. There were also changes to conduct in private life and it would be a statutory requirement for Standards Committee Chairs to be Independent Members. It would also allow for the creation of joint Standards Committees and possibly Sub-Committees, which may be helpful in some instances. Final determinations would be able to be referred back to the Adjudication Panel if the maximum three month ban was deemed not adequate punishment in individual circumstances.

The Solicitor to the Council commented that these changes were very important for local Standards Committees and the Standards Board would become more of a regulator. There were clear implications for local Standards Committees and Monitoring Officers. For example, a Monitoring Officer could be conflicted out of an issue if he had already given advice to an individual Councillor so consideration would need to be given to having a Deputy or using a Monitoring Officer from somewhere else.

The Chair referred to a statement made by the Chair of the Standards Board in support of the Annual Review of the Board’s work, and who had welcomed the proposed changes for complaints to be dealt with by local Standards Committees. He had also noted evidence from local authorities championing high standards and conduct in public life and the support given to Councillors. The Annual Assembly on 15 and 16 October in Birmingham would focus on the changes detailed in the Bill.

The Solicitor to the Council commented that he was attempting to seek sufficient funding for 2008 to allow Councillors to attend the Annual Assembly for that year.

The Chair, referring to the Chairman of the Standards Boards Review, also commented on the ideal approach of a Standards Committee to help and

support Councillors and Independent Members in putting in place a robust, ethical framework. There was support for this from all the major political parties nationally. The Code of Conduct was seen as a very important element nationally to set the trend and the Standards Board had suggested that the Audit Commission establish an ethical framework inspection.

**RESOLVE:** That the report be noted and that the Interim Chief Executive and the three Political Group Leaders be asked to make a public statement in support of the Code of Conduct.

#### **11. STANDARDS BOARD DVD**

The Solicitor to the Council reported that a new learning DVD was available and commented that he would arrange an informal meeting for it to be viewed and a discussion held.

**RESOLVED:** That the position be noted.