

# **EAST NORTHAMPTONSHIRE STANDARDS BOARD**

**Date:** 18 October 2010

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 7.30 pm

**Present:** Graham Blagden (Chairman)

**East Northamptonshire Councillors:** Glenvil Greenwood-Smith      Barbara Jenney  
Brian Northall

**Town and Parish Councillors:** Don Campbell      Sue North  
Prudence Goss      Arthur Whittaker

**Independent Members:** Hilary Daniels      Graham  
Matthews

## **220. MINUTES**

The minutes of the meeting held on 7 July 2010 were approved and signed by the Chairman.

## **221. APOLOGIES FOR ABSENCE**

Councillor Roger Powell and Mr Lance Quantrill sent their apologies.

## **222. DECLARATIONS OF INTEREST**

No interests were declared.

## **223. ACTIVITY REPORT OF THE MONITORING OFFICER**

The Board received a report on the ethical matters dealt with by the Monitoring Officer since the last meeting. It was noted that 13 enquiries had been recorded from Parish and Town Council Clerks and Councillors, District Councillors and the general public; there were 14 vacant Town or Parish Council seats. The Monitoring Officer reported that these focused on queries about pre-determination but also included requests for advice regarding complaints from members of the public which were outside the Monitoring Officer's jurisdiction.

Currently one complaint was at the investigation stage and another Assessment Sub-Committee would be held after the meeting.

## **224. FUTURE OF STANDARDS FOR LOCAL AUTHORITIES**

The Monitoring Officer provided the Board with details of the latest information available on future plans for standards in local authorities. The Coalition Government had confirmed its intention to abolish Standards for England and appropriate provision to do this would be included in the forthcoming Localism Bill. This Bill, due to be published in October or November 2010, was also now expected to abolish the prescribed model Code of Conduct

for Councillors (for all levels of council) and the requirement for district and county councils to have their own standards committees.

It was noted that the Bill was anticipated to confirm that councillors would still have to register certain personal interests (not yet defined but likely to include financial interests) in a publicly available register. A new criminal offence would be created to cover situations where a councillor failed to register relevant personal interests, or deliberately sought to mislead the public about such interests.

The Bill was not expected to receive royal assent and become new legislation until at least July next year. Any new legislation was therefore unlikely to take effect until the end of 2011 or early 2012.

The Monitoring Officer also highlighted the conclusions of the Committee on Standards in Public Life and asked the Board to consider how it wished to proceed.

Members wondered how the new legislation would work in practice and raised concerns that the use of criminal proceedings could be costly and not be proportional or suitable in all cases.

The Board felt strongly that, although there had been difficulties with the current legislation and members of the Council had raised concerns, there still was a need for a code of conduct for councillors. Most boards, professional bodies and public sector bodies had a code of conduct regarding the behaviour of members as it was standard good practice. The Board was concerned that a lack of any code could give credence to suspicion of elected members at all levels.

The Board agreed that the Council would wish to demonstrate that it was an effective body with high standards and that it fulfilled its agreed corporate outcomes. Although it was for the Council to decide how it wished to proceed after the legislation had come into force, the Board agreed that there was a need for a local code, supported by some form of independent perspective. It was also noted that a simple code developed at district level might be taken up by town and parish councils. Members suggested that the Board could help the Council to draft a local code for members or advise on good practice.

During discussion of how a local code could be managed, consideration was given to whether a code would have a purpose if no sanctions could be put in place. Members felt that the adoption of any local code should include provision for action to be taken should it be broken. Although the Board felt that the use of discretion for the Monitoring Officer to take action could be useful and would make the future consideration of complaints more flexible, this was considered to be a difficult area as there would be occasions where pressure could be applied to the Monitoring Officer by councillors to act in a particular way.

The Board felt that it had a role to play in assisting the Council through the regime change and wished to do so. The Chairman was to meet with the Leader to discuss the options, risks and future approaches that could arise. The importance of the leadership and the members of the Council being comfortable with any proposed changes was emphasised.

The Board concluded that, until changes were made to the legislation, there was still a need for training on the code and the consideration of complaints, which it would continue to process as it had to date.

## **Chairman**