

EAST NORTHAMPTONSHIRE STANDARDS BOARD

Date: 2 February 2011

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 Arthur Whittaker

Independent Members: Graham Matthews

370. MINUTES

The minutes of the meeting held on 18 October 2010 were approved and signed by the Chairman.

371. APOLOGIES FOR ABSENCE

Councillor Roger Powell, Councillor Prudence Goss, Councillor Sue North, Ms Hilary Daniels and Mr Lance Quantrill sent their apologies.

Chairman reported Lance Quantrill's resignation from the Standards Board and expressed his thanks to Mr Quantrill for his contribution to the work of the board since he had been appointed.

372. DECLARATIONS OF INTEREST

No interests were declared.

373. ACTIVITY REPORT OF THE MONITORING OFFICER

The monitoring officer reported on ethical matters she had dealt with since the last meeting. It was noted that 18 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 observed that, despite there not being a notable increase in the number of inquiries, she thought activity was increasing and there had been indications further complaints might be submitted. It was difficult to say whether this had been stimulated by talk of the elections in May, media coverage of the abolition of the code of conduct making people aware of its existence, or a public expectation of a higher standard of behaviour of councillors in their private lives.

The board was updated on progress with past complaints. A review sub-committee had been held for the first time and it had recommended other action. Subsequent discussions with the complainant regarding the reviewed complaint had indicated she might refer the matter to the Local Government Ombudsman regarding the process followed. The monitoring officer was confident that the council's procedures had been correctly followed. After the next meeting, assuming the process had been completed, it was intended to hold a learning seminar to review anonymised recent cases.

The board considered the various aspects of the published Localism Bill and its implications for standards, although it was expected that the bill would be extensively revised during the committee stage. The monitoring officer had clarified that it would not be a requirement for councils to have a standards committee, but they would have a duty to promote high standards of conduct by members of the authority and therefore expected to keep some form of standards regime or governance committee to appease public opinion. The sanctions available to such a local committee appeared to be unlimited except in relation to declarations of interest, which would be prescribed in legislation. It was thought likely that the transparency agenda would require councillors' declarations of interest to be published on the council's website.

The changes set out in the bill would mean councils would have to decide whether to offer any standards support to its town and parish councils. Corby Borough Council had decided to adopt a voluntary code, which would be available to its town and parish councils, with a view to councillors elected in May signing the current and new code to enable a smooth transition. Kettering Borough Council had adopted a voluntary code before it had become compulsory so it was expected that the council would adopt a voluntary code again. The Local Government Association and the Association of Council Solicitors and Secretaries were supposed to be developing a national voluntary code but no progress had yet been reported. The board felt it was premature to follow Corby's lead and preferred to see what resources were available after the elections. The monitoring officer would continue to offer training on the current code to district, town and parish councillors in association with the Northamptonshire Association of Local Councils whilst the current code was in place.

The chairman fed back to the board on his and the vice-chairman's meeting with the council's leader. He commented that it had been a very positive meeting and that the new leader continued to support the principle of standards.

Having reviewed the monitoring officer's report, the board discussed its concerns about the implications of the Localism Bill and the development of a local code of conduct and/or standards regime. The following issues were raised:

- Concern about the practical application of the principle of localism and the difficulties there might be in reaching a consensus at each level of local government.
- The difficult position that any powers to 'filter' complaints could put the monitoring officer in.
- Whether some filtering could be included in any voluntary code, for example through defining terms such as vexatious.
- The problems with the current code which included its length and inflexibility.
- The need for some sort of behavioural guidelines to ensure a positive public perception of councillors and transparency.
- A possible role for the leader or chief executive in councillor to councillor disputes.
- Whether to lobby the government for a change to the legislation to remove past problems experienced by dual-hatted councillors.

After extensive consideration of the issues, it was

R.11 RESOLVED TO RECOMMEND:

That representations be made to the government for consideration suggesting that, where councillors are elected to another level of local government, prejudicial interests should not apply in relation to financial decisions relating to that other body (although it would still continue to apply where a councillor would benefit on an individual basis) and that the monitoring officer give examples to illustrate, with the final wording of the letter to be agreed with the leader of the council and the chairman of the board.

374. STANDARDS BOARD ANNUAL REPORT

Members considered a draft annual report, which had been prepared by the chairman, detailing the activity of the board during 2010 and agreed that, with the amendments suggested by the board, the report be approved and presented to the council and, thereafter, publicised widely (including on the council's website, and circulated to town and parish councils and the press).

R.12 RESOLVED TO RECOMMEND:

That the council receive the Standards Board's 2010 annual report as set out at pages 556 to 559.

Chairman