
Standards Committee

Report of the meeting held on 2nd December 2010

Matters for Information

10. REPORTS OF SUB-COMMITTEES

The Chairmen of each of the Standards Sub-Committees have updated the Committee on the business they have dealt with, in general terms, since September and have reported on the outcome of each case considered.

In total, four allegations of misconduct have been considered by the Assessment Sub-Committee and no further action was recommended in each case. In response to an appeal against a decision in one of these cases, the Review Sub-Committee has met and upheld the original decision, having concurred with the conclusion of the Assessment Sub-Committee that there had been no breach of the Code of Conduct in the case in question.

A meeting of the Consideration and Hearing Sub-Committee also has been convened to hear the outcome of an investigation into a complaint involving Yaxley Parish Council. The Sub-Committee concurred with the recommendations of the Investigating Officer and agreed that the Councillor involved be suspended for a period of two months from 25th November 2010 to 25th January 2011 or until such time as he undertook training on the Code of Conduct. It was also strongly recommended that the other Members of the Parish Council and the Parish Clerk should receive training on the Code of Conduct and subsequently a session for this purpose was held on 24th November 2010. This was well received by those concerned.

11. STANDARDS UPDATES

Further to Item No. 2 of the Report to the meeting held on 29th September 2010, the Committee has now been advised that the Decentralisation and Localism Bill will be published before the end of December. In the absence currently of any further information, the Committee has noted the content of a press release issued by the Department of Communities and Local Government which appears to suggest that it is the Government's intention to replace the current Standards regime by making serious misconduct a criminal offence dealt with by the Courts, Councillors having to continue to register personal interests in publicly available registers and an enhancement of the powers of the Local Government Ombudsman.

Against this background of uncertainty, the Committee has endorsed the Monitoring Officer's decision to postpone the process of the appointment to the Committee of an additional Town and Parish Council representative but noted that an article has been included in the December edition of District-wide regarding the availability, online, of the Committee's 2009/10 Annual Report.

12. CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY: CONSULTATION

The Committee has been advised that on 29th September 2010, the Government published for consultation a new Code of Recommended Practice on Local Authority Publicity. Regrettably the timescale for the response was short and the closing date for representations fell outside the Committee's cycle of meetings. However, the Committee has noted that the proposed new Code will be underpinned by seven guiding principles which will require local authority publicity to be lawful, cost-effective, objective, even handed, appropriate, to have regard to equality and diversity and to be issued with care during periods of heightened sensitivity such as election periods. To give effect to the Government's commitment to stop perceived unfair competition by local authority newspapers, the proposed Code will also contain specific guidance on the frequency, content and appearance of local authority newspapers or magazines. This suggests that they must not appear more frequently than once a quarter, must only include material that is directly related to the business, services or amenities of the authority or other local service providers and that they should be clearly marked as being published by the local authority. The Code also proposes to prohibit the use of lobbyists where their expenditure is intended to influence local people on political issues.

The Committee raised no objections to the principles of the new Code.

13. LOG OF CODE OF CONDUCT ENQUIRIES

The Committee has noted the nature of the Code of Conduct enquiries recently recorded by the Monitoring Officer and has been reminded that the area of the Code which appears to cause the most concern related to the declaration of personal and prejudicial interests.

14. LATEST GUIDANCE

For training purposes, the Committee has noted the content of guidance published by "Standards for England" on dual-hatted Members and the Code of Conduct and details of a recent case considered by North Tyneside Council and one which had been determined by the First Tier Tribunal General Regulatory Chamber.

Mr D L Hall
Chairman