

Standards Advisory Committee – 23 May 2017

Present: Councillors Davies, Gaines, Hall and James.
Ms L Somerville (Independent Person)
Michael Marshall and Bryn Wilson (Parish Council representatives),
Anne Elder and Lynn Rogers (Co-opted independent members of the
Advisory Committee)

Also Present: Cllr Aldridge

Officers: Bruce Lang (Monitoring Officer) and Marcus Prouse (Democratic Services
Officer - Scrutiny)

11. Appointment of Chairman

Resolved that Mrs Anne Elder be appointed Chairman of the Standards
Advisory Committee for the remainder of the Municipal Year.

12. Apology

Councillor Mrs Smith-Roberts.

13. Minutes

The minutes of the meeting of the Standards Advisory Committee held on 28
March 2017 were taken as read and were signed.

14. Declaration of Interest

Mrs Anne Elder, declared a personal interest as a Public Governor of the
Taunton and Somerset NHS Trust.

15. Raising Standards : Parish Council Health Checks

This item was deferred due to the indisposition of Mr Justin Robinson, the
County Executive Officer of the Somerset Association of Local Councils.

16. Discontent with the current Standards Regime

The Monitoring Officer, Bruce Lang, introduced the item and stated that this
flowed from previous discussions that the Committee had had on the
perceived ineffectiveness of the Standards Regime, brought about by the
major reforms brought in by the Localism Act 2011. Notably this had removed
the legal requirement for Councils to have a Standards Committee.

It was recognised that currently with the lack of formal sanctions, the best
work that could be undertaken by the Advisory Committee was to encourage
good behaviour by Councillors to prevent breaches of the Code of Conduct.

The only legal requirements on the Council was to ensure the Register of
Interests was displayed on the Website and to have a formal complaints

process and to deal with such complaints accordingly. However, with regard to the latter, this had been made more difficult without effective sanctions in place.

The response that had been received from the Minister was considered disappointing, with the message seemingly that we had to work with the tools given which Taunton Deane's Advisory Committee had interpreted as education, training and prevention. The Council did undertake non-statutory practices such as training to support Members and strived to maintain a responsible culture amongst all the Members.

During the discussion of this item the following points were made:-

- The Sedgemoor letter was worthy of endorsement, however, it was felt that the Advisory Committee should draft a follow-up letter to the Secretary of State as to which parts of the new Standards Regime were considered to be appropriate and what could be improved.
- It was recognised that whilst the change of the former Standards Committee to an Advisory Committee had been a downgrade, to enable co-opted Members to retain voting rights, the Council had supported this and enabled this to work by recognising informally the primacy of the Committee's recommendations.
- One issue which Members felt was inappropriate was permitting Parish Council's to shape their own Codes of Conduct rather than having one version across the board. This had led to confusion.
- The Advisory Committee confirmed its wish for any review of Localism Act to restore voting rights to the co-opted Parish Council representatives and the independent members.
- Parish Councils were felt to be more remote from Taunton Deane Borough Council, especially since the deletion of the Parish Liaison Officer post.
- Clarity was sought over the exact implications of the 2011 Localism Act.
- It was recognised that the old regime had been too centrist and cumbersome, and the reforms had allowed for a streamlining of guidance and allowed for a local touch.
- The 'ballot box' judgement was not felt to be an effective deterrent in Standards cases as, unless the Crown Prosecution Service was involved, the public was often not aware of breaches of the Code of Conduct.
- Confirmation should be sought from the local Member of Parliament that all of the Advisory Committee's concerns had been passed through to the Minister for Local Government as the response received did not appear to address all of the issues.
- A follow-up letter supporting the 'Sedgemoor Letter' be sent to the Secretary of State re-iterating this Council's support and the points raised during the meeting. It was agreed that the letter should be sent for information to the other signatories of the Sedgemoor Letter.

Resolved that the report be noted with the actions set out above being taken.

17. Monitoring Officer's Update

Mr Lang stated that the interesting and wide ranging discussion on the previous item had covered a lot of the points he was going to make.

In terms of activities other than complaints, Mr Lang had continued to engage with Parish and Town Council's as well as members of the public about their concerns, as well as continued interaction with Taunton Deane Members on their Declarations of Interest.

The Chairman offered more background on her role and the fact that she sought to attend (on a voluntary basis) meetings of the Planning and Scrutiny Committees and Full Council. It had been acknowledged that this had had a restraining effect on the behaviour of Members present at those meetings
Resolved that the report be noted.

18. Exclusion of the Press and Public

Resolved that the press and public be excluded from the meeting for the following items because of the likelihood that exempt information would otherwise be disclosed relating to Clause 2 of Schedule 12A to the Local Government Act 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

19. Update on complaints made against Councillors

The Monitoring Officer, Bruce Lang, provided a report on the complaints that had been received by him over the past three months, the action that had been taken to deal with the matters raised and the outcomes.

Resolved that the report be noted.

20. Date of next meeting

The next meeting of the Advisory Committee would be held on Tuesday, 4 July 2017 at 2.30 p.m. in the John Meikle Room at The Deane House.

(The meeting ended at 3.40 p.m.)