

Report to the Standards Committee from Priority Group 2

City, parish and town council (ctp) codes of conduct

The group considered the work that had been done to encourage ctp councils to adopt the new Somerset Council code of conduct, and the feedback from ctp councils as to why they had adopted this code of conduct or something different. Most ctp councils had adopted Somerset Council code, and it had become clear that those councils which had adopted something else had made a positive decision to do so, and it was felt that it would be unlikely that any further encouragement would lead to a change of mind.

The group also considered the level of complaints about ctp council members to assess the workload for the monitoring officer and team. After an initial flurry of complaints following vesting day complaints had reduced to a low level. Feedback from the monitoring officer and team has reassured Standards Committee members that the current situation is not leading to an unmanageable overload on officers.

Recommendations

1. The group recommends that no further action should be taken to persuade the few councils using a different code to adopt the Somerset Council one.
2. Instead the committee recommends that when resources allow consideration should be given to a potential training offer for ctp council members possibly in conjunction with SALC, to be developed in response to the sorts of complaints that are received.
3. The group also recommends that the attention of ctp councils should be drawn to a recent case which David Clark has mentioned ('the case last week involving the deputy leader of Ashfield District Council. He failed to disclose a beneficial interest on his register of interests form, not deliberately but without reasonable excuse. Even although there was no personal gain as a result of this interest the local police still pursued a prosecution and he was fined £2,400 in the magistrates court.')

Hearing Sub-Committee composition

The group considered the report and decision of the Standards Committee last June, the current arrangements in neighbouring authorities, the number of hearings which have been needed since the new authority's vesting day (one only), the difficulty or otherwise of setting a hearing date (quite difficult in the one instance – learning from that experience suggests that it is helpful to discover the availability of potential members of a Hearing Sub-Committee before setting the date) and the recently expressed view of the Chairman of the Standards Committee that the pool of those from whom a Hearing Sub-Committee can be drawn should be widened in order to make arranging hearings easier.

Recommendations:

After discussion the group recommends:

1. That the pool from which the members of a Hearing Sub-Committee can be drawn should be widened to include all members of the Standards Committee.
2. That the monitoring officer in consultation with the Chairman of the Standards Committee should decide which particular people will be asked to sit on the Hearing Sub-Committee for a particular hearing
3. That the Standards Committee should consider and accept one of the following alternatives for determining the membership of a particular Hearing Sub-Committee:
 - a. in addition to elected members there may be one or more co-opted members,
 - b. in addition to elected members there must be at least one co-opted member.