

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
STANDARDS COMMITTEE

Minutes of the Meeting held on 13 March 2023 at 10.00 am

Present:-

Cllr D Borthwick – Chairman

Cllr D Kelsey – Vice-Chairman

Cllr M Andrews and Independent Persons Mr P Cashmore and
Mr I Sibley

27. Apologies

Apologies for absence were received from Councillors A Filer, A Jones, L Northover and V Ricketts.

28. Substitute Members

Formal notification had been received appointing Councillor D Flagg as substitute for Councillor V Ricketts.

29. Declarations of Interests

Councillor D Borthwick and Councillor D Kelsey both declared an interest in Complaint Reference BCP121 and advised the Committee that should that complaint be discussed they would leave the meeting during consideration of the item.

30. Public Issues

The Committee was advised of the receipt of two Public Statements.

Public Statement from Mr Alexander McKinstry

Public Statement

I was appalled, studying today's report, to see councillors treating this Committee almost like an afterthought. One subject councillor overlooked three letters from this Committee (including the outcome letter) and is now introducing "fresh evidence" six months down the line. In Complaint 108, the councillor announced she "would not be available" for this Committee, while in 126, the councillor used a publicly-funded officer to discuss the complaint, then did not attend a related meeting. Full Council (21 March) looks to tighten up response times to this Committee; I certainly think this would be a step in the right direction.

Public Statement from Ms Sarah Boyce

Public Statement

Cllr Filer stated at a meeting of this Committee last year that some councillors seemed to be treating Standards as a game. She pointed out

too how the Committee tended to deal with serious complaints only, since an initial assessment is conducted by the Monitoring Officer. It reflects very poorly on this Council, therefore, to see how several councillors have failed to comply with sanctions imposed by this Committee recently, and in the absence of any compelling new evidence, notices of non-compliance at the next Council might be the best way of resolving these complaints.

31. Code of Conduct Complaints - Review

The Committee received the regular schedule of completed and ongoing complaints against Councillors with cases shown as closed in the previous report removed from the list. It was noted that, although it had only been a period of just over a week since the last meeting of the Committee, an informal consultation meeting had taken place and progress was noted.

It was particularly noted that Complaint Reference BCP121 had been deferred and would be considered at the next meeting of the Committee.

The adopted arrangements for dealing with allegations of breach of the Code of Conduct were set out. These included the arrangements for initial assessment by the Monitoring Officer and the process for determination of complaints by the Chair of the Standards Committee in consultation with Councillors of the Standards Committee and the Independent Persons.

The Committee reviewed the table of complaints setting out, in each case, the nature of the complaint and, where applicable, the Monitoring Officer's assessment, the decision of the Chair and the current status of the complaint.

The report highlighted a number of complaints where Councillors had not complied with a determination made by the Chair of the Standards Committee following the process of informal resolution. The differing circumstances in respect of each of the quoted complaints were set out within the agenda and explained. Specifically this related to complaints under references BCP 97; 105; 108; 110 and 126.

Committee were made aware that should they wish to receive further detail on any of the complaints in addition to the information provided in the report this could be provided in confidential (exempt) business. Members of the Committee confirmed, however, that they were familiar with the facts in each case. The Committee nevertheless expressed its concerns about the delay in resolving complaints and obtaining responses from subject Councillors all of which was highlighted as being particularly unfair on the public waiting to hear resolution of their complaints.

The report presented a range of options for addressing delays and the consequential undermining of the role and standing of the Standards Committee. It was particularly noted that a number of the individual complaints reported as unresolved were the result of Councillors not accepting a determination made at the informal resolution stage.

After discussion it was proposed by Councillor M Andrews and seconded by Councillor D Kelsey

RESOLVED that, in respect of complaint references BCP 105; 108; 110 and 126, a report on non-compliance by the individual subject Councillors be made to the meeting of full Council on 21 March 2023 subject to each of the subject Councillors affected being given an opportunity to make a public apology at the commencement of the Council meeting and subject also to the apology also being submitted in writing ahead of the meeting.

Voting – Unanimous

The Independent Persons present at the meeting indicated their support for this approach and underlined the loss of public credibility that was being caused by non-compliance.

The Committee also discussed the question of how an apology should be delivered if a subject Councillor was not present at the Council meeting and, whilst accepting that there was no formal policy, the Committee were of the view that in such a case the apology should be read out by the appropriate Political Group Leader.

In concluding its meeting, the Committee discussed the current process for dealing with complaints made under the Code and there was consensus that there was a need, going forward, to address how the drawn out process currently being applied could be speeded up. At the request of the Committee, the Monitoring Officer accordingly undertook to commence, after the forthcoming Council elections, a review through the Constitution Review Working Group of the current Constitutional provisions relating to Code of Conduct investigations.

Although the meeting had been necessary held during the morning in order to be able to meet the deadline for the full Council, Members noted their support for the usual start time of 6pm.

The meeting ended at 10.28 am

CHAIRMAN