

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
STANDARDS COMMITTEE

Minutes of the Meeting held on 05 October 2021 at 6.00 pm

Present:-

Cllr D Butt – Chairman

Present: Cllr M Andrews, Cllr D Borthwick, Cllr V Ricketts, Cllr A M Stribley,
Mr P Cashmore and Mr I Sibley

10. Apologies

An apology for absence was received from Councillor Jones.

11. Substitute Members

Councillor Edwards attended the meeting as substitute for Councillor Jones.

12. Election of Vice-Chairman

The Chairman confirmed that the Vice- Chairman of the Committee, Councillor Brooks, had resigned from the Committee and recorded his appreciation of the work and dedication of Councillor Brooks on behalf of the Standards Committee during his period of office.

It was proposed by Councillor Stribley, seconded by Councillor Butt and

RESOLVED that Councillor Borthwick be elected as Vice Chairman of the Standards Committee for the remainder of the 2021/22 Municipal year.

The Chairman congratulated Councillor Borthwick on his election.

13. Declarations of Interests

There were no declarations of interest.

14. Confirmation of Minutes

The minutes of the meeting on 13 July 2021 were confirmed as a correct record.

15. Public Issues

There were no public issues.

16. Local Government Association - Revision to Model Code of Conduct for Councillors

The Head of Democratic Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Committee was reminded of the background to the process of adoption of a new Code of Conduct for Councillors and the model Code produced by the Local Government Association ('LGA') had been adopted for use at BCP Council in June 2021. It was explained however, that, after widespread adoption of the model Code on a country-wide basis, a number of ambiguities had been identified by the LGA who had made subsequent changes and revisions without drawing these to the attention of Local Authorities. It was now therefore necessary to adopt the revised Model and, additionally, to address some additional minor local alterations. These were explained and set out in the report.

An additional benefit of using the model Code was consistency across the County and the Chief Executive of the Dorset Association of Parish and Town Councils and the Clerks of individual Parish and Town Councils would be advised of the provision within the Code. This communication would also need to explain the minor revisions made subsequently to the Code by the LGA and by the BCP Council after the circulation of the initial version.

The Committee highlighted the importance of underpinning the adoption of the Code with a comprehensive programme of training for Members. It was confirmed that three dates in November had already been identified and notified to Councillors and that at each of these events the Code would be presented alongside and in the context of the Guidance provided by the LGA. The Guidance also incorporated a revised 'flow chart' setting out the steps for declaring an interest under the Code and it was agreed that this should replace the existing chart currently set out with the agenda for all meetings of the Council. This would also include links to the BCP Council Monitoring Officer and to the LGA website where further supporting information and advice could be accessed.

Members emphasized the importance of all Councillors attending the training being offered and there was support for, as far as possible, training being delivered on a face-to-face basis and the opportunity would therefore be taken to deliver the training in that format. Political Group Leaders were encouraged to highlight to their individual members the critical importance of attending one of the offered training sessions.

Members also identified the benefits of a more in-depth training session for the Standards Committee members and appointed Independent Persons to re-enforce the Committee's specific role under the Code. It was agreed to email Members of the Committee to identify a suitable date and place.

RECOMMENDED TO COUNCIL

That the proposed changes to the Local Government Association Model Councillor Code of Conduct, as set out in Appendix 1 of the report to the Standards Committee, be adopted subject to the following further amendments and additions:

- i. **In Appendix B in the preamble (second sentence), replacing the words 'personal interest' with the words 'Registerable interest';**
- ii. **In Appendix B, paragraph 8, sub-paragraph (b) retaining the word 'friend';**
- iii. **In Appendix B, paragraph 9, sub-paragraph (a) adding the words 'and well-being' after the words 'financial interests';**

iv. The typographical corrections identified at the meeting.

(Voting: Unanimous)

RESOLVED that

- (a) the online guidance published by the LGA the Local Government Association relating to the Model Councillor Code of Conduct be noted;**
- (b) the guidance flowchart published by the LGA be adopted to replace the flowchart currently published on the reverse of agenda front sheets.**

(Voting: Unanimous)

17. Code of Conduct Complaints - Review

The Head of Democratic Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The Committee was responsible for maintaining high standards of conduct by members of BCP Council and the Town and Parish Councils, monitoring the operation of the Code of Conduct and considering the outcome of commissioned independent investigations.

The Committee was provided with its regular update report regarding alleged breaches by Councillors of the Code of Conduct as received or concluded since the last meeting of the Committee in July 2021 and it was explained that these allegations related to breaches under the old Code.

The report also brought to the attention of the Standards Committee, a number of complaints made under the Code of Conduct for Councillors as set out in Part 6 of the BCP Council Constitution. In line with the provisions of Part 6 Appendix C of the Constitution, the Chair, in consultation with the members of the Committee, the Independent Persons and the Monitoring Officer had followed an informal resolution process for each of these complaints.

Consideration was given to an analysis of the nature of the allegations and, in each case, their status or outcome decision was presented. It was confirmed that, as part of the process, Group Leaders were made aware of the position relating to their individual Groups and there was support for encouraging Group Leaders to take a role in supporting the implementation of the Standards Committee decisions.

There was a discussion about the role of the Committee in enforcing individual decisions in those cases particularly where there was non-compliance with a specific decision of the Chairman. Further analysis showed a number of cases which the Committee considered to have been unresolved for an unacceptable period of time and which could therefore have the effect of undermining the role, effectiveness and credibility of the Standards Committee. Consideration was given to the variety of options available to the Committee to address this and there was support for providing a report about non-compliance directly to the full Council to

include, on a confidential basis, an appendix of the names of the particular Councillors concerned.

RESOLVED that

(a) the outcome of concluded complaints and the progress of those still outstanding be noted;

(b) in relation to the unresolved complaints identified, a report of the position on non-compliance be submitted to the full Council accompanied by a confidential appendix identifying the individual Councillors involved.

(Voting: Unanimous)

The meeting ended at 6.55 pm

CHAIRMAN