

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
STANDARDS COMMITTEE

Minutes of the Meeting held on 21 January 2025 at 6.00 pm

Present:-

Cllr A Chapmanlaw – Vice-Chair in the chair

Present: Cllr D Farr, Cllr R Pattinson-West and Cllr B Nanovo

Present virtually: Cllr S Armstrong, Cllr E Connolly;
Paul Cashmore, Ian Sibley (Independent Persons)

17. Apologies

Apologies were received from Cllr V Ricketts.

It was noted that Cllr S Armstrong and Cllr E Connolly were attending the meeting remotely.

18. Substitute Members

There were no substitute members.

19. Declarations of Interests

There were no declarations of interest.

20. Confirmation of Minutes

The minutes of the meeting held on 8 October 2024 were confirmed as an accurate record for the Chair to sign.

With reference to Clause 9 of the minutes, the Monitoring Officer confirmed that the position of non-compliance in relation to the unresolved Code of Conduct Complaint 170 had now been reported to full Council. The position of non-compliance in relation to the unresolved Code of Conduct Complaint 176 had not been reported to full Council as the subject councillor had subsequently complied with the sanction imposed following the informal resolution process.

21. Public Issues

The Vice Chair (in the Chair for this meeting) reported that two public statements had been registered for this meeting, both from Mr Alex McKinstry who was in attendance to read out his submissions, as follows:

Agenda Item 7, MHCLG consultation:

I'm overjoyed to see that the Government is consulting on the potential strengthening of standards and conduct frameworks for England's local authorities. Anyone can contribute: indeed, the consultation paper states "We are particularly keen to hear from those members of the public who have a point of view based on their interest in accessing local democracy." The consultation closes on 26 February. I hope the Committee supports one measure in particular, "Publishing investigation outcomes", where allegations have been upheld. It is unbelievable that the public have not been told the identity of the councillor in Complaint 180, who was found to have breached the code of conduct five times over - including "not to bully any person" and attempting to intimidate those involved in an investigation. Nor do we know whether this was a repeat offence by the subject councillor. A statutory requirement to publish would remedy this, and enlighten voters.

Agenda Item 8, Forward Plan:

I'm also glad a "Review of the code of conduct complaints process" forms part of the Committee's current workplan. I hope this can be commenced imminently, as several councillors now have explicitly refused to comply with this Committee's sanctions, including one group leader and two deputy group leaders. It is clear too that sanctions for non-compliance need toughening. On 16 January 2024 I suggested that naming councillors in the chamber, specifying misconduct, and removing councillors from committees, were existing legal measures that this Committee might want to see introduced. Yet when Cllr Judy Butt was referred to full Council in November for non-compliance, no mention of her (or her misconduct) was made out loud, and she was even allowed to vote on whether to note the Committee's findings. It is scandalous, moreover, that Cllr Butt continues to sit on the Investigatory and Disciplinary Panel, potentially sanctioning senior officers.

22. Dispensations granted by the Monitoring Officer

The Monitoring Officer 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 purpose of this item was to report retrospectively on the dispensations granted by the Monitoring Officer for the time period 1 October 2024 to 10 January 2025. During this period a dispensation was granted to all Councillors attending Council on 15 October 2024, to enable all to fully and freely participate in the debate on the agenda item relating to the Community Governance Review. The dispensation was granted as many BCP Councillors were Charter Trustees and/or Members of existing Town and Parish Councils. In respect of this dispensation, the Monitoring Officer did take the opportunity to seek the views of the Members of the Standards Committee on 8 October 2024, who also supported the granting of this dispensation.

The Monitoring Officer was asked whether she would include any cases where dispensations were not granted in her reports to Standards Committee. She explained the process she was required to follow in considering all requests for dispensations in accordance with the Localism Act. She confirmed that she would report on those cases where a request was refused, in the interests of transparency and as part of the ethical governance framework.

RESOLVED that the Standards Committee notes the dispensations granted by the Monitoring Officer for the time period 1 October 2024 to 10 January 2025

Voting: Nem.Con

23. MHCLG Consultation: Strengthening the standards and conduct framework for local authorities in England

The Monitoring Officer 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 invited to consider submitting a response to the Ministry of Housing, Communities and Local Government (MHCLG) consultation launched on 18 December 2024, "Strengthening the standards and conduct framework for local authorities in England". It was noted that MHCLG had been considering for some time how to address the inconsistent approach to the standards regime, in terms of how each council operated and the lack of any robust and enforceable sanctions available. The specific proposals being consulted upon for legislative change were summarised in paragraph 3 of the report with the full consultation document attached at appendix 1.

As the closing date for responses was 26 February 2025 it was considered timely to bring this item to the Committee. Members may wish to provide feedback on each question one by one. Options for responding to the consultation included submitting a response as the Standards Committee, encouraging all BCP councillors and town and parish councillors to respond individually and/or requesting that the Monitoring Officer and Deputy Monitoring Officer respond on behalf of the Council based on the feedback. It was noted that all responses were anonymised.

As the closing date was not until 26 February the Vice Chair suggested that full consideration of the consultation be undertaken when the Chair was able to attend, whether at the next formal meeting which was prior to the deadline or by way of an informal session.

Members agreed it would still be helpful to make some initial comments at this stage and highlight what they each considered would be key issues, including the points raised in the public statements, as follows:

- Publishing committee decisions, reviewing the code of conduct and sanctions
- Strengthening the consequences of non-compliance
- Consideration of sanctions when members hold particular positions or are repeat offenders
- Balancing the need to have sufficient measures to ensure the standards regime is taken seriously against the risk of potential bias (for example, where a future council has a different political composition)
- The value of independent persons and coopted members and the potential for them to have voting rights.
- That the current committee operates in a non-political manner. One of the consultation questions asks if full council should issue sanctions. This had the potential to make things more politicised.
- That the ultimate sanction may lie with the voting public at the ballot box, in which case publication of decisions has an important role

Members were surprised at the different approaches taken by councils to their codes of conduct. The Monitoring Officer advised that there was currently no legal requirement for councils to have a standards committee although it was considered best practice. She explained a range of ways in which other councils dealt with code of conduct complaints and the publishing of decisions based on her previous experience. She also referred to the benefits of standards committees having at least two independent persons.

The Monitoring Officer took the opportunity to clarify the remit of the Investigatory and Disciplinary Committee (IDC) and the professional support provided to IDC members in their role, as the IDC had been mentioned in the member of the public's statement and by members in the discussion.

The Committee agreed to bring the consultation back for full consideration either at the next formal committee meeting or at the next informal meeting.

24. Forward Plan and Changes to Committee Dates

The Committee considered a draft copy of its Forward Plan, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Committee was asked to note the items listed on the Forward Plan for consideration at future meetings. It was proposed to consult with the chair and vice chair on the scheduling of these items. It was noted that the next meeting would need to include a report on complaints.

The Committee was asked to consider the proposed change to meeting dates in 2025, to cancel the Tuesday 18 March date and add new dates of Wednesday 12 February and Wednesday 30 April. Following discussion, it was agreed to consult further with members to see if there was any scope to review the dates of the two new meetings.

The meeting ended at 6.40 pm

CHAIR