

## **BATH AND NORTH EAST SOMERSET**

### **STANDARDS COMMITTEE**

#### **MINUTES OF THE MEETING OF TUESDAY, 13TH APRIL, 2021**

PRESENT:-

**Independent Members:** Dr Axel Palmer, Dr Cyril Davies and Deborah Russell

**Parish Representatives:** Kathy Thomas

**Bath and North East Somerset Councillors:** Jess David, Sally Davis, Duncan Hounsell, Michelle O'Doherty and June Player

**Officers:** Michael Hewitt (Interim Monitoring Officer) and Enfys Hughes (Democratic Services Officer)

**Independent Person:** Tony Drew

#### **34 WELCOME AND INTRODUCTIONS**

The Chair (Dr Axel Palmer) welcomed everyone to the meeting by explaining that this meeting was being held under The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The Council has agreed a protocol to cover virtual meetings and this meeting will operate in line with that protocol. The meeting has the same status and validity as a meeting held in the Guildhall.

In light of the recent death of the Duke of Edinburgh and the death in December 2020 of Tony Crouch, member of Standards Committee, the Committee held one minute silence.

#### **35 APOLOGIES FOR ABSENCE AND SUBSTITUTION**

Parish Councillor Clive Fricker sent his apologies for the meeting.

#### **36 DECLARATIONS OF INTEREST**

There were none.

#### **37 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **38 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS (COMPLAINTS MUST GO THROUGH THE STANDARDS COMPLAINTS PROCEDURE)**

There were none.

**39 ITEMS FROM COUNCILLORS AND CO-OPTED AND ADDED MEMBERS RELATING TO THE GENERAL BUSINESS OF THE COMMITTEE**

There were none.

**40 MINUTES OF THE MEETING OF 19TH NOVEMBER 2020**

**RESOLVED** that the minutes of the meeting held on 19<sup>th</sup> November 2020 be confirmed as a correct record and signed by the Chair.

**41 MODEL COUNCILLOR CODE OF CONDUCT 2020**

The Interim Monitoring Officer presented the report and stated that two years ago the Committee for Standards in Public Life had reported to government on changes in the Localism Act. One of the recommendations was to provide an updated model councillor code of conduct to achieve consistency across the country and avoid any confusion. The template code produced by the LGA would be reviewed on an annual basis. There will be guidance for Members and for Monitoring Officers on the investigation of complaints in due course.

There are very few differences between the new model code and the BANES code as the intention was to incorporate the legislative changes. To highlight the differences - the code is in the first person and addresses social media, there is a threshold for gifts and hospitality of £50, whereas the BANES code is £25. The recommendations of the Committee for Public Life are listed along with 15 best practice recommendations.

The Interim Monitoring Officer advised there is the potential for additions to the model code in particular items that are in the BANES code – the obligation for Members to have regard to advice from the Monitoring Officer and the Section 151 Finance Officer, plus provide reasons for decisions. If Members are minded to adopt the new code these additions were recommended.

The LGA had done a survey on the new code and found that 55% of authorities do not intend to adopt it, 20% will adopt it in full, 25% will adopt it in part and 5% are undecided.

During discussion the following points were raised:

- Improvements with the new code – treating people with respect and courtesy, clear and explanatory
- The Standards Committee had discussed previously at length, the threshold for gifts and hospitality threshold and decided on £25 so this could be included as an amendment
- For parishes having a code of conduct that is automatically reviewed would be useful
- The Interim Monitoring Officer confirmed the BANES code did refer to a cumulative effect with gifts and this could be replicated if the new code was adopted.

**RESOLVED (all in agreement)** that the new Model Councillor Code of Conduct 2020 produced by the Local Government Association be adopted with the following additions:

- 1) That there be an obligation for Members to have regard to advice from the Monitoring Officer and the Section 151 Finance Officer;
- 2) that reasons for decisions be provided;
- 3) that the threshold for gifts and hospitality remain at £25;
- 4) that the cumulative impact of gifts and hospitality be addressed; and
- 5) that the Standards Committee undertake an annual review after the LGA review.

#### **42 REPORT ON THE ASSESSMENT OF COMPLAINTS**

The Interim Monitoring Officer reported that there were four new complaints reported since the last meeting, two related to BANES Councillors and two related to Parish Councillors. Of those, three have been concluded and one is ongoing.

Since publishing the agenda for this meeting there had been three further complaints which would be processed in the usual manner.

Having reviewed the complaints there was no patterns or consistent faults.

**RESOLVED** that the Report on the Assessment of Complaints be noted.

#### **43 WORKPLAN FOR THE STANDARDS COMMITTEE**

The training for oral hearings had not taken place due to virtual meetings as a result of the Covid pandemic. This would take place later in the year either face-to-face or via Zoom.

The next meeting on 13<sup>th</sup> July 2021 was due to cover the annual review of the code of conduct, but in light of the decision previously taken, there will be no need for this. Therefore the July meeting is cancelled and would be used for a private training session for Members on oral hearings.

**RESOLVED** to note the workplan.

The meeting ended at 4.36 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**