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Date: Tuesday, 2 May 2017

Dear Sir

Local Authorities and the Standards regime

I am writing to you to relay some concerns raised by Standards Committees across the South West about the current Standards regime.

The concern is in relation to the limits on sanctions that Councils can now apply against councillors. The Committee finds it disappointing that there is no middle ground between the criminal sanctions for Disclosable Pecuniary Interest transgressions and the relatively tame sanctions available to the council for other transgressions. The Standards Committee do not consider the latter to provide a sufficient deterrent to poor behaviour by councillors.

The Committee would welcome the availability of sanctions with some teeth such as suspension. These are sanctions that were available to the committee before 2012 and as you will recall, the First Tier Tribunal also had the ability to disqualify members where their poor behaviour was sufficiently serious.

An example of the lack of teeth is demonstrated by a scenario where a member carries out a serious pattern of bullying against a Council officer within two months of being elected. Even if they are found to be in breach of the Code of Conduct, no action can be taken to suspend or disqualify them. It is recognised that the public can vote with their feet through the ballot box. However, where, as in this scenario, a Councillor makes a serious transgression early in their term of office, the public have to wait almost four years to vote them out at the next election.

It is considered that the ability to suspend councillors for short periods for more serious transgressions would provide an effective local deterrent to poor conduct together with the ability to defer the suspension subject to good behaviour. The Committee would ask, therefore, that you increase the range of sanctions available to local standards committees.

Another issue of concern is the fact that criminal acts in a Members personal life cannot be taken into account. For example, where a member committed benefit fraud, his Council, a District Council responsible for administering benefits, was unable to suspend or disqualify him. It is therefore felt appropriate for a Standards Committee to be able to take into account behaviour of a councillor in his private life where this amounts to criminal behaviour. The Committee would therefore ask that you amend the legislation so that criminal activity in a member's personal life can be taken into account.

We are also disappointed by the inability for the Independent Person to be a co-opted member of the Committee. Similarly, the Committee are disappointed that in order to co-opt a Parish Representative onto the Committee as a voting member, a Joint Committee has to be set up with Town and Parish Councils. In our experience this is something that Towns and Parishes do not wish to pursue. We see



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the role of co-opted members of committees as providing effective balance to the councillor representation on the committee in wider discussions on matters such as member conduct and member /officer relations. The Committee would ask, therefore, that Standards Committees be given the power to co-opt Independent Persons and Parish Representatives on to the Committee as full voting members of the Committee.

I hope you will give serious consideration to these suggestions and I look forward to receiving your reply which I will pass on to the Standards Committees across Somerset.

Yours sincerely


Cllr John Woodman, Standards Committee Chair, Sedgemoor District Council

Cllr Jeremy Christopher, Leader, Teignbridge District Council

Cllr Anna Groskop, Standards Committee Chair, South Somerset District Council

Cllr Alan Gloak, Standards Committee Chair, Somerset County Council

Cllr Peter Bradshaw, Standards Committee Chair, Mendip District Council

Cllr David Thomas, Standards Committee Chair, Torbay District Council

Cllr Anne Elder, Standards Advisory Committee Chair, Taunton Deane Borough Council

Cllr Tim Evans, Standards Committee Chair, West Somerset Council

Cllr Anthony Leech, Chair, West Devon Borough Council Standards Committee & South Hams District Council

Cllr Loveday Jenkin, Standards Committee Chair, Cornwall County Council

Cllr Walter White, Chair, Ethics Committee, North Devon Council

Cllr Ken Carroll, Standards Committee Chair, Torridge District Council



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