

STANDARDS COMMITTEE

13th September 2011

PRESENT:-

District Council Members

Councillors Harrison and Stanton (Conservative Group) and Councillor Mrs. Mead (Labour Group).

Parish Members

Mr. K. Fairbrother (Castle Gresley Parish Council) and Mr. K. Overton (Willington Parish Council).

Independent Members

Mr. P. Dawn, Mrs. K. St. Clair and Mr. D.R. Williams.

SC/1. **APPOINTMENT OF CHAIRMAN**

RESOLVED:-

That Mr. D.R. Williams be appointed Chairman of the Committee for the remainder of the municipal year.

SC/2. **APOLOGIES**

Apologies for absence from the Meeting were received from Mrs. S. Jackson (Castle Gresley Parish Council) and Mr. P.B. Purnell (Independent Member).

SC/3. **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED:-

That Mr. P. Dawn be appointed Vice-Chairman of the Committee for the remainder of the municipal year.

SC/4. **MINUTES**

The Open and Exempt Minutes of the Meeting held on 12th January 2011 were taken as read, approved as true records and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

SC/5. **REQUESTS FOR DISPENSATIONS – HILTON PARISH COUNCIL**

The Committee received a report which outlined the provisions of the Standards Committee (Further Provisions)(England) Regulations 2009 relating to dispensations. The circumstances where a Standards Committee may grant a dispensation were detailed and in order to obtain a dispensation, a Member must submit a written request to his or her authority's Standards Committee. The Standards Committee had the discretion to decide the nature

of any dispensation and how long it should apply for, although it could not be longer than four years. Standards Committees were not allowed to issue general dispensations to cover Members for any situation where a prejudicial interest may occur and in the main, the majority of dispensations would cover a specific item of business. The decision of the Standards Committee on each application must be recorded in writing and must be kept with the Register of Interests of the subject Member.

Standards Committees could refuse to grant a dispensation, as the Regulations were clear that the Standards Committee could use its discretion on each application and was not obliged to grant dispensations. However, it was noted that there was no right of appeal against the Standards Committee decision whether to grant a dispensation or not.

Standards for England had produced a guidance document on dispensations aimed at Standards Committees. Whilst this guidance was not mandatory, it had been written to help describe when Standards Committees could grant dispensations to Members, allowing them to speak and vote at a meeting when they had a prejudicial interest. A copy of the guidance had been circulated to Members.

On 22nd and 23rd August and 6th and 9th September 2011, four applications for dispensations had been received from Members of Hilton Parish Council. The requests related to ongoing issues concerning the Hilton Village Hall charity and the four parish councillors were also members of the Hilton Village Hall Management Committee. Copies of the applications for dispensations were circulated to Members. It was noted that of the nine seats on the parish council, only six were currently filled and accordingly, the parish council was currently inquorate when considering any village hall business.

RESOLVED:-

That dispensations be granted to the four parish councillors to enable them to participate in decision-making on the matter concerned for a period of one year or until the parish council is quorate when considering the matter, i.e. in the event that the current vacancies are filled, whichever is the earlier.

SC/6. **SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES**

Members were reminded that the Local Assessment regime introduced by the Standards Committee (England) Regulations 2008 relating to the assessment of complaints had been operative since 8th May 2008. A summary of complaints considered since the last Meeting was attached to the report without naming the complainants and the subject Members.

Regulation 8(5) required a Sub-Committee to produce a summary in writing of its consideration of an allegation or a review of a decision. The written summary must record the main points considered, the conclusions as regards the allegation or review of the decision and the reasons for that conclusion; be prepared having regard to any relevant guidance issued by Standards for England; be available for inspection by members of the public at the offices of

the authority for a period of six years beginning with the date of the Meeting; and be given to any parish council of which any Member who was the subject of an allegation referred to in the written summary was a Member.

RESOLVED:-

That the summary of complaints considered by the Standards Sub-Committees be noted.

SC/7. **FUTURE MEETINGS**

In view of the current uncertainty regarding the future standards regime, it was agreed that future meetings would be arranged as necessary, rather than scheduled dates being fixed.

It was anticipated that the Full Council would consider the future standards regime at the Meeting on 10th November 2011.

SC/8. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

COMPLAINTS TO STANDARDS SUB-COMMITTEES (Paragraphs 1 & 2)

The Committee noted the Decision Notices relating to Meetings of the Standards Sub-Committee (Initial Assessment) since the last Meeting.

D.R. WILLIAMS

CHAIRMAN