

STANDARDS COMMITTEE

13th May 2009

PRESENT:-

District Council Member

Conservative Group

Councillors Harrison and Mrs. Hood.

Parish Member

Mr. R. Buxton (Hatton Parish Council), Mr. K. Fairbrother (Castle Gresley Parish Council) and Mr. K. Overton (Willington Parish Council).

Independent Member

Mr. D.R. Williams (Chairman), Mr. P. Dawn (Vice-Chairman) and Mr. P.B. Purnell.

SC/52. **APOLOGIES**

Apologies for absence from the Meeting were received from District Councillor Mrs. Mead and Mr. R. Pearson and Mr. T. Thompson (Independent Members).

SC/53. **MINUTES**

The Open Minutes of the Meeting held 31st March 2009 were taken as read, approved as a true record and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

SC/54. **LOCAL ASSESSMENT OF COMPLAINTS - MONITORING OFFICER 'OTHER ACTION'**

Members were reminded at the Meeting held on 18th December 2008, the Committee considered that negative aspects of the new complaints system concerned the inability of a subject Member to make a submission when the Initial Assessment Sub-Committee was considering further action by the Monitoring Officer, e.g. training and the fact that any failure by a subject Member not to comply with a resolution of the Sub-Committee was not an automatic breach of the Code. In this regard, it had been agreed that representations should be made to the Department for Communities and Local Government expressing this concern. A response had now been received from the Department, which was attached to the report for information. This concluded by advising that there was no intention at the current time to make further changes to the legislation that underpinned the conduct regime with regard to alternative action.

Members of the Committee expressed disappointment with this response and felt that the matter should be pursued further.

RESOLVED:-

That the Committee's dissatisfaction be conveyed to the Department of Communities and Local Government and the Standards Board for England.

SC/55. **ANNUAL REPORT 2008/09**

The Committee considered its Annual Report for the period 2008/09. The Annual Report covered the following areas of the Committee's responsibilities:-

- Form and Composition.
- Roles and Functions.
- Codes and Protocols.
- Officer support to the Committee.
- The Standards Committee (England) Regulations 2008 – Local Assessment of Complaints.
- Consultation Paper – Communities in Control: Real People, Real Power: Code of Conduct for Local Authority Members and Employees.
- Training.
- Website.
- Dispensations.
- Derbyshire Forum for Independent Members of Standards Committees.
- Annual Conference.
- Standards Board for England Guidance and Bulletins.
- Monitoring Officer Protocol.

The Committee was advised that the Chairman would present the Annual Report to the Full Council at its Meeting on 21st May 2009.

RESOLVED:-

That the Annual Report of the Committee for 2008/09 be approved and be submitted to the Full Council Meeting on 21st May 2009.

SC/56. **SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES**

Members were reminded that 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 the complaints received 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 the Standards Board; 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.

The financial implications were outlined, indicating that at its Meeting held on 19th March 2009, the Finance and Management Committee had agreed to carry forward £25,000 into 2009/10 for use in relation to the Local Assessment regime, subject to the final outturn figures.

Ongoing reports would be submitted to the Committee on further complaints received.

RESOLVED:-

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

SC/57. **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.

MINUTES

The Exempt Minutes of the Meeting held on 31st March 2009 were duly received.

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

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

D.R. WILLIAMS

CHAIRMAN