

City of Durham

At a Meeting of the **STANDARDS COMMITTEE** held in the Gala Theatre, Durham, on Tuesday, 25th September, 2007, at 5.30 p.m.

Present: Mr B.R.J. Ingleby (in the Chair)
and Councillors Holland and Thompson (City Council Members)
and Councillor J.S. Anderson (Parish Council Member)
and Mrs T. Naples (Independent Member).

240. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Moderate and Simpson and Mr Hollingworth.

241. MINUTES

The Minutes of the Meeting held on 31st July, 2007, were confirmed as a correct record and signed by the Chairman.

Report of Monitoring Officer

242. COMPLAINTS TO THE STANDARDS BOARD FOR ENGLAND

(a) SBE 19208.07

The Standards Board for England recently received a complaint from a member of the public concerning the alleged conduct of a Member of the City Council. The general nature of the allegation was that the Member had been inappropriately involved in consideration of a planning application in which his employer had a direct financial interest.

The Standards Board for England, on considering the information provided considered that if the employer's financial position was to be affected by the outcome of the planning application, this would have had potential to constitute a personal interest for the Member as an employee of that body. The information provided was not considered to support the view that the Member's own wellbeing or financial position was likely to be affected by the outcome.

A Member who had a personal interest in a matter was required to declare it, but nevertheless then participate in discussions and vote or make recommendations. The Standards Board for England had decided that the allegation should not be referred to an Ethical Standards Officer for investigation.

At the request of the complainant, the Standards Board's Chief Executive could review and change a decision not to refer an allegation for investigation if he was persuaded the decision was unreasonable in law. The complainant had a period of 30 days in which to make application for review.

To date, no such review had been requested.

(b) SBE 19601.07 and SBE 19602.07

The Standards Board for England had recently received two related complaints from a Complainant concerning the alleged conduct of two Parish Councillors.

The Standards Board had decided to refer both allegations to an Ethical Standards Officer and had identified the possible potential breaches of the Code of Conduct on both counts:

- Compromising the impartiality of those who work for, or on behalf of, the Authority.
- Using position as a Member improperly to confer or secure an advantage or disadvantage.

The Ethical Standards Officer has now referred the matter for local investigation.

(c) SBE 19941.07

The Monitoring Officer had forwarded a complaint received from a District Councillor against another District Councillor to the Standards Board for England, who would determine whether the matter should be investigated further.

(d) SBE 19731.07

The Standards Board for England had received a complaint regarding a Parish Councillor, which had been referred for local investigation as it had identified potential breaches of the following elements of the Code of Conduct:-

- Failing to treat others with respect

(e) SBE 17281.07

The report of the Investigating Officer had now been received and a Special Meeting of the Standards Committee will be convened to discuss the same.

Resolved: That the report be noted.

243. THE NEW CODE OF CONDUCT

As the District Council had now adopted the new Code of Conduct, and Parish Councils are required to do so by 30th September, training would be arranged upon the new Code for all Members.

Resolved: That the report be noted.

244. INITIAL LOCAL DETERMINATION

From 1st April, 2008, all complaints would at first instance be referred to the Standards Committee to determine whether they should be investigated. Initial indications were that it would be best practice to form a sub-committee to appraise complaints received and to determine whether they should be subject to further investigation. It would therefore be necessary early in the New Year to consider how best to deal with the additional work that this would involve for the Committee and advise the Council as to whether the size of the Committee should be increased.

Resolved: That the report be noted.

245. BULLETIN 35

A copy of the latest bulletin from the Standards Board for England was circulated for Members' information.

246. ANY OTHER BUSINESS

- (a) The Committee noted that a meeting had been held in respect of setting up a North East Regional Forum to facilitate networking with other Standards Committee Members. Further developments would be reported as they happened.
- (b) The Committee felt that it was important that the visibility of the Committee was improved so that Members were aware of the Panel and its remit. It also felt that it would be beneficial to investigate the possibility of quality marks being awarded to Councils who had achieved minimum levels of training and competence in governance and investing in such improvements should reduce the number of complaints being made about Councillors.

The meeting terminated at 6.20 p.m.

Chairman