

**THE MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE
HELD ON WEDNESDAY 5 DECEMBER 2007**

Present: W Local (Chair)
B Burn, A J Holmes, E Smith
and Miss J Clark

Apologies: Mrs M Goyns

- 1 **THE MINUTES OF THE LAST MEETING** held on 1 October 2007, a copy of which had been circulated to each Member, were confirmed.

2 **REQUEST FOR DISPENSATION FROM MONK HESLEDEN PARISH COUNCIL**

The Monitoring Officer reported details of a request for dispensation from the obligation to declare a prejudicial interest at Monk Hesleden Parish Council when considering business which affected the Blackhall Banner Committee, a copy of which had been circulated to each Member.

Members were advised that Monk Hesleden Parish Council had 18 Members (3 vacancies), Standing Orders dictated that seven Members or one third constituted a quorum. Due to the number of Councillors who were members of the Blackhall Banner Committee, it was proving difficult to achieve sufficient numbers to reach a decision.

It was not considered likely that any of the Councillors involved would receive any personal gain from decisions which affected the Blackhall Banner Committee.

The Relevant Authorities Standards Committee (Dispensations) Regulations 2002 permitted the Standards Committee to grant dispensation in those circumstances if they considered that the transaction of the Council's business would be impeded as a result of the Code of Conduct and if taking all these circumstances of the case into consideration they considered it appropriate to grant dispensation.

RESOLVED that: -

- (i) approval be granted for the dispensation for the Members of Monk Hesleden Parish Council to participate and debate in decisions concerning Blackhall Banner Committee;
- (ii) the dispensation to run for the life of the current Council.

4 **STANDARDS BOARD CONFERENCE 15 – 16 OCTOBER 2007**

The Monitoring Officer advised that the Standards Board conference had focused upon the responsibilities which Local Standards Committees would inherit next year (anticipated to be April 2008) when the Standards Board would cease to be involved in investigating complaints and take on a regulatory role. A number of issues had emerged which would require decisions from the Standards Committee if the legislation and regulations were produced in the form anticipated.

Members were advised that the minimum number appropriate for a Standards Committee, was 9. The Monitoring Officer believed this number to be 10 and would recommend that the size of the Committee be increased to 12. The Standards Board took the view that the Sub-Committee who decided at the outside whether a

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complaint should be investigated were not prevented from sitting in judgement at the completion of the investigation. However, a review body would be needed to hear appeals from dissatisfied complainants if the original Sub-Committee decided not to investigate. Each Sub-Committee would be chaired by an Independent member. The Monitoring Officer would therefore recommend that the authority appoint a third Independent member to avoid a situation where one of the two Independent members was unavailable for any length of time after a colleague had already dealt with a complaint.

Any complaint, which involved a Parish Councillor, must have a Parish member sitting on the Sub-Committee. A third Parish member was therefore needed to ensure that the Committee was not wholly dependent on any single individual to be able to progress a case involving a Parish Council.

If these two recommendations were agreed, the Committee would increase to 10, of which only 4 would be District Councillors. It would be a matter for the Council to decide whether they regarded that change in balance as something they would wish to adjust. There would be no objection from the Monitoring Officer if additional Councillors were available to call upon with the Committee rounded up to 12. If the Council were happy to leave a Parish/Independent majority on the Committee, 10 would still be workable if the current thinking on what constituted a conflict remained.

The Monitoring Officer explained that it was proposed to establish a Joint County Wide Committee to cope with the expected increase in workloads and this matter would be discussed at the next Monitoring Officers meeting.

Members of this Committee would be represented on any newly established body, however Members would need to consider if they would want to outsource work to a County Wide Committee. To date this Committee had managed it's own workload but it would not wish to be the only authority not involved in the Committee.

The Chair stated that he would like further information on the proposed Committee and had concerns that valuable time would be spent establishing a new body when the time remaining before Local Government Review could be better spent. The Chair also questioned the extent of extra workloads that were expected.

Miss J Clark agreed that valuable time could possibly be wasted establishing a new Committee leading upto Local Government Review.

The Monitoring Officer advised that he would convey the concerns of the Committee, in relation to the proposed new Committee, to the next Monitoring Officers meeting.

It was explained that once the public needed to be advised that complaints would go to the Monitoring Officer rather than to the Standards Board, that change in arrangements would need to be publicised. It was suggested that it may be appropriate to incorporate the procedures for complaining against your Councillor with the documentation currently circulated explaining to people how you can complain if dissatisfied with the actions of the Council. The Monitoring Officer would consult with D Payne, Customer Services Manager, on the merits of incorporating reference to complaints against Councillors in the Council's literature on complaints generally, rather than treating it as a separate subject.

RESOLVED that the information given, be noted.