

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of Standards Committee held in the Assistant Chief Executive's Office, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 23 August 2007 at 4.00 pm

PRESENT:

Miss Vera G McEwan, Mr Malcolm Graham, Mr David G Fisher and Councillor William Laverick

Officers: C Potter (Head of Legal and Democratic Services) and J Bradley (Assistant Solicitor)

Prior to the commencement of the Meeting, Mr Fisher announced that this was to be his final meeting before retiring and moving out of the District.

The Chair thanked Mr Fisher, on behalf of the Committee, for his invaluable input over the years, including Chairing the Committee and also being Chair of the Sub-Committee, which carried out Chester-le-Street's first Local Hearing.

The Monitoring Officer also thanked Mr Fisher, on behalf of the Officers of the Council, for his hard work and effort during his term of office.

Mr Fisher thanked both the Chair and the Monitoring Officer for their kind words.

15. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Mr M Dulieu and Mr I Clarkson (Parish Council Representatives).

16. MINUTES OF PREVIOUS MEETING

The Chair referred to Item 7 of the Minutes and stated that 'practise' in the second paragraph should be amended to 'practice' and that 'enlisted' in the Resolution of Item 11 be amended to 'enlisting'.

RESOLVED: *"That the minutes of the proceedings of the meetings held 28 June 2007, copies of which had previously been circulated to each Member, be confirmed as being a correct record, subject to the above amendments."*

The Chair proceeded to sign the Minutes.

17. DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest from Members.

18. URGENT BUSINESS

There was no urgent business to consider.

19. CODE OF CONDUCT

The Chair advised that there was some useful information contained in Bulletin No. 34, particularly relating to Predetermination or Bias and she hoped that this matter could be discussed during training.

Mr Fisher stated that the Standards Boards for England Annual Review 2006/2007, entitled "To Higher Standards", also made reference to predetermination or bias.

Councillor Laverick advised that the topic had also been discussed at the Road Show event held in Newcastle and that the advice given to Members was to withdraw from a meeting if there was any doubt of predetermination and risking any participation in making a decision being ruled as invalid.

The Chair referred to the adoption of the Code of Conduct by Parish Councils and queried if any problems had arisen.

The Monitoring Officer advised that this was a rolling programme and some of the Parish Councils had not yet adopted the Code.

The Chair referred to the article in Bulletin No.34 regarding amending paragraph 7 of the revised Code and queried if any advice had been given to parish councils on this matter.

The Monitoring Officer stated that Parish councils were able to obtain advice relating to Paragraph 7 from the Standards Board for England.

RESOLVED: *"That the comments made be noted."*

20. REGISTER OF MEMBERS' INTERESTS

The Chair queried if the Monitoring Officer was encountering any problems with regards to Members completing their Register of Members' Interests forms.

The Monitoring Officer advised that it was a work in progress and he had not had any difficulties so far and that parish council clerks were assisting in reminding members to submit their forms.

RESOLVED: *"That the comments made be noted."*

21. TRAINING

The Chair queried if there was any induction planned for new members of the Standards Committee.

The Monitoring Officer advised that Councillor Gollan, Mr Clarkson and the two independent members yet to be appointed, would require induction training. He also advised that a feedback session from the local hearing would be a golden opportunity to provide training to all members of the Committee.

The Chair referred to specific training for parish councillors and the workshops that are available for them to attend and queried if any of the parish councillors had access to such training.

The Monitoring Officer advised that he was unaware if any of the parish councillors had attending any such events but that he would endeavour to find out if anyone had attended any courses and how effective the training had been.

The Chair referred to the Annual Assembly of Standards Committees and advised that two members of the Committee were to attend and that travel and accommodation arrangements had been made.

She went on to suggest that a date be fixed for a feedback/training session from the local hearing.

Discussion ensued with regard to available dates for the feedback session. Mr Fisher advised he would be able to attend if the session was to be held in September. He also suggested invited former District Councillor, Colin Carr, as he was part of the Committee during the first part of the Hearing.

Following the discussion a decision was made to hold the feedback session on Thursday 6 September.

RESOLVED: "That the comments made be noted and a Local Hearing Feedback Session be held on Thursday 6 September at 4.00pm."

22. CONSTITUTION AND FUNCTIONS OF THE STANDARDS COMMITTEE

Mr Fisher advised that he had written a revised version of the Annual Report of the Standards Committee, copies of which were distributed at the meeting. He stated that he had attempted to write a more "reader friendly" report, which was a report of the Chairman of the Committee.

The Chair advised that she was happy to approve the report if Mr Fisher was happy with the final version and asked the Committee for their comments.

The Monitoring Officer advised he would complete the parts of the report which needed points clarifying and bring the report back to the next meeting of the Committee.

RESOLVED: "That the comments made be noted and the Monitoring Officer clarify points hi-lighted within the report and that the report be discussed at the next meeting of the Committee."

23. RECRUITMENT OF NEW INDEPENDENT MEMBERS

The Monitoring Officer updated Members on the position regarding recruiting two independent members to the Committee. He advised that there had been three applications received for the two vacant positions and that he was currently holding discussions with the Assistant Chief Executive with regard to amending the Constitution to increase the composition of the Committee by one independent member.

He advised that all three applicants were known to the Council in the terms of having been involved with Council business through both the Standards Committee and the Independent Remuneration Panel and the Council would have to make a decision as to who to appoint. He stated that he was to submit a report to September's meeting of the Council.

The Chair queried if the terms of office for the new members would be staggered.

The Monitoring Officer advised that they would be given an appointment of four years in accordance with the constitution and that he was unable to say how long the term of office would actually be, due to the Local Government Review.

RESOLVED: *"That the comments made be noted."*

24. PUBLIC AWARENESS

The Chair referred to the Standards Committee web-page and queried if there was any advancement to the development of the page.

The Democratic Services Assistant advised that there had been no further developments as she was still waiting for "pen portraits" from the members and once these had been received the page could be made "live".

The Chair requested that members forward their "pen portraits" to the Democratic Services Assistant as soon as possible.

The Monitoring Officer referred to Local Democracy Week and suggested that there could be some reference made to the Committee as it was designed to raise awareness among the community with visits to local schools, open days etc.

The Chair suggested that information regarding the Standards Committee could be combined with that of other committees as there would be insufficient information to have a display for the Committee on its own.

RESOLVED: *"That the comments made be noted."*

25. LOCAL HEARING

The Monitoring Officer advised that the Local Hearing had now concluded and that a Decision notice was to be served on the Councillor involved.

He went on to advise that the Sub-Committee had decided that the Councillor should make a formal apology and attend suitable equalities and diversities training approved by the Monitoring Officer within six months of the decision being made. He stated that once Mr Fisher had signed the decision notice a summary of findings was required to be published in a local newspaper.

The Chair suggested that the Decision Notice, copies of which were distributed at the meeting, could be used as a background document for the feedback session.

Mr Fisher agreed that the document and the experience gained from the hearing would make an excellent training platform. He stated that the only point he wished to raise was that he felt the Council Chamber was too intimidating and formal for such a hearing.

The Monitoring Officer advised that he agreed with this and that the Hearing had been held in the Chamber due to the need for it to be recorded. He stated that he felt there was a need for any councillor facing such a hearing to be able to have support throughout the process.

RESOLVED: "That the comments made be noted."

26. DATE AND TIME OF NEXT MEETING

RESOLVED: "That the next meeting be held on Thursday 25 October 2007 at 4.00pm."

The meeting terminated at 5.13 pm