

# Public Document Pack

11 December 2007

Dear Member,

A meeting of the Standards Committee will be held in the **Conference Room No.4, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 20th December, 2007 at 4.00 pm**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roy Templeman', is written over a faint rectangular stamp.

**R TEMPLEMAN**

**Chief Executive**

## **AGENDA:**

1. Apologies for Absence
2. Minutes of Meeting Held 25 October 2007 (Pages 1 - 4)
3. Declarations of Interest from Members
4. Urgent Business
5. Code of Conduct
6. Register of Members' Interests
7. Training
8. Constitution and Functions of the Standards Committee

9. Public Awareness
10. Hearings and Investigations
11. Date and Time of Next Meeting

## **THE DISTRICT COUNCIL OF CHESTER-LE-STREET**

Report of the meeting of Standards Committee held in the Conference Room No.3, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 25 October 2007 at 4.00 pm

### PRESENT:

Miss Vera G McEwan, Mr Michael Dulieu, Ms Leigh Henderson, Mrs Gill Stephenson, Councillor William Laverick and Mr James Armstrong

Officers: C Potter (Head of Legal and Democratic Services) and S Marshall (Democratic Services Assistant)

### **27. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Mr M Graham and Councillor I Clarkson.

### **28. WELCOME TO NEW MEMBERS**

The Chair welcomed the new Members present and round the table introductions were given.

### **29. MINUTES OF MEETING HELD 23 AUGUST 2007**

RESOLVED: "That the minutes of the meeting held 23 August 2007, copies of which had previously been circulated to each Member, be confirmed as being a correct record."

The Chair proceeded to sign the minutes.

### **30. DECLARATIONS OF INTEREST FROM MEMBERS**

There were no declarations of interest from Members.

### **31. URGENT BUSINESS**

There was no urgent business to consider.

### **32. CODE OF CONDUCT**

The Chair referred to the adoption of the Code of Conduct and queried if there were any parish councils who had not yet adopted the Code.

The Monitoring Officer advised that by operation of law, the Code was now applicable to all parish councils and that the Standards Board for England would require a record of when each parish council adopted the Code.

The Chair referred to the contents of Bulletin No.35, in particular to the Amendments to the Local Government Act 2000 and advised Members that there was good informative information within the document.

The Monitoring Officer advised that the Local Government and Public Involvement in Health Bill was expected to receive Royal Assent imminently.

The Monitoring Officer referred to the Development Control Code of Good Practise and advised that the document had been considered by Planning Committee Members. He advised that the Code of Good Practise supported, but did not form part of, the Code of Conduct for Members.

Discussion ensued in relation to the Code of Good Practise and its purpose.

RESOLVED: "That the comments made be noted."

### **33. REGISTER OF MEMBERS' INTERESTS**

The Chair referred to the article in the Bulletin relating to the Register of Gifts and Hospitality and there no longer being an obligation on the Monitoring Officer to maintain a separate register of gifts and hospitality following the implementation of the revised Code of Conduct for Members.

The Monitoring Officer advised that details of gifts and hospitality needed to be held as part of the register of interests, which Monitoring Officers are obliged to maintain under Section 81 of the Local Government Act 2000.

Discussion ensued in relation to the Register of Members Interests and the need to train Members in relation to notifying the Monitoring Officer of any personal interests or change to the interests already registered, and also the issue around Members interests details being available on the Council's website.

RESOLVED: "That the comments made be noted."

### **34. TRAINING**

The Chair queried if any induction sessions had been arranged for the new Members of the Committee.

The Monitoring Officer advised that no training had been arranged as yet but that he was aware of the need for this to be done as soon as practicable. He advised that this could be carried out in conjunction with refresher training for existing Members.

The Chair referred to the Annual Assembly of Standards Committees, which both she and Mr Dulieu attended, and provided feedback to the Committee.

She stated that there had been a lot of information to absorb and it would have been a lot less intense and therefore more informative if more members of the committee had attended.

The Monitoring Officer advised that restricted attendance was due to budget restraints.

RESOLVED: "That the comments made be noted."

### **35. CONSTITUTION AND FUNCTIONS OF THE STANDARDS COMMITTEE**

The Monitoring Officer advised the Committee of Mr Armstrong's position within the Committee as a reserve member. He advised that Mr Armstrong was like any other Independent Member and could attend all Standards Committee meetings but was only able to vote if he was present in the absence of another Independent Member at that particular meeting.

The Chair referred to the "local filter" whereby the Standards Board for England anticipate a lot more cases being referred locally and Standards Committees dealing with a greater caseload of complaints.

She also advised that it had been recommended that the Committee prepare a report on the ethical health of the Council and a "statement of preparedness" and requested the Monitoring Officer to prepare these on behalf of the Committee.

The Monitoring Officer referred to the Draft Annual Report produced by Mr Fisher and advised he was awaiting comments from Members before submitting the report to Council.

The Committee did not have any comments regarding the report and agreed that it should now be referred to Council.

RESOLVED: "That the comments made be noted, the Annual Report of the Standards Committee be referred to Council and the Monitoring Officer prepare a report on the Ethical Health of the Council along with a Statement of Preparedness".

### **36. HEARINGS AND INVESTIGATIONS**

The Chair requested information from the Monitoring Officer in relation to the cost of the investigation and hearing.

The Monitoring Officer advised that he would be able to provide the costs of the hearing but that officer time would have to be quantified.

He went on to advise that an equalities and diversities course for Pelton Parish Councillor McLean was still to be arranged and the issue of who would be liable for the cost of the training would also have to be ascertained.

The Chair referred to the Occasional Paper on Predisposition, Predetermination or Bias, and the Code produced by the Standards Board for England and stated that this issue was raised at the Annual Assembly for Standards Committees and caused quite a discussion where, in one case, the local Ombudsman had found there had been bias but the Standards Board for England did not find a breach of the Code.

The Monitoring Officer agreed that there could always be differences of interpretation. The Chair requested that this be covered in training.

RESOLVED: "That the comments made be noted."

**37. DATE AND TIME OF NEXT MEETING**

RESOLVED: "That the next meeting of the Committee be held on 20 December 2007 at 4.00pm."

The meeting terminated at 5.27 pm