

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of Standards Committee held in the Conference Room 3, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 8 May 2008 at 4.00 pm

PRESENT:

Mr Malcolm Graham, Ms Leigh Henderson, Councillor William Laverick, Mrs Gill Stephenson and Mr James Armstrong

Officers: C Potter (Head of Legal and Democratic Services) and M Fell (Democratic Services Assistant)

Also in attendance as a member of the public: Mr. Niels Hartmann-Andersen (Parish Councillor for Great Lumley)

60. APOLOGIES FOR ABSENCE

Apologies for Absence were received on behalf of V G McEwan, M Dulieu, I Clarkson.

61. MINUTES OF PREVIOUS MEETING HELD 21 FEBRUARY 2008

RESOLVED: "That the minutes of the meeting held 21 February 2008, copies of which had previously been circulated to each member, be confirmed as being a correct record."

62. DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest from Members.

63. URGENT BUSINESS

The Vice-Chair requested clarification from the Monitoring Officer as to what would constitute as Urgent Business on the agenda.

The Monitoring Officer advised that the Chair would need to decide whether an item constituted as being a genuinely urgent item or whether it could wait to be discussed at the next meeting. Any special circumstances for urgency would have to be stated and recorded in any particular case if the urgency procedure was to be invoked.

The Vice-Chair commented that he had spoken with the Chair and there was no urgent business to consider.

RESOLVED: "That the comments made be noted".

64. CODE OF CONDUCT

The Monitoring Officer advised members that Bulletins 37 and 38 had been published on the Standards Board website and that they would be discussed at an appropriate point in the meeting.

RESOLVED: "That the comments made be noted".

65. REGISTER OF MEMBERS' INTERESTS

There were no comments made in relation to Register of Members' Interests.

The Monitoring Officer advised that the annual reminders would be going out next month although they were not obliged to do this. He informed members that a yearly reminder was sent to Councillors' inviting them to notify the Monitoring Officer of any changes to the register and that the obligation to notify fell on the members themselves. The Monitoring Officer stated that a letter would be sent to Councillors as a proactive reminder.

RESOLVED: "That the comments made be noted".

66. TRAINING

The Monitoring Officer advised that the new regulations for the Standards Committee came into effect that day and that the guidance from the Standards Board had been issued on 2nd May. He informed members that the regulations deal with a number of issues including the referral system and procedures relating to allegations.

Following a query from Mrs Stephenson, the Monitoring Officer advised that he would have a report for the next meeting based on the guidance and that a copy of the guidance would be made available at that time.

The Monitoring Officer advised that as there were no Parish Council representatives present at the meeting, they were unable to discuss any parish matters, as they were not quorate.

The Monitoring Officer spoke in relation to the changes made to the Standards Framework and advised Members of the necessity to increase the number of Parish Councillors available to stand on the Committee, as they were required to appoint sub-committees to investigate any initial allegations, assessments and hearings when required. He advised that as each possible investigation will require 3 sub-committees, then they would be required to recruit additional Independent Members and Parish Council Representatives.

The Monitoring Officer advised that he had requested nominations from the Parish Councils as Mr Dulieu had resigned as a Parish Councillor and as a result he could no longer be a representative on this Committee, in that particular capacity. He advised that there was therefore a need to recruit

additional representatives as soon as possible and at the present time he had received three nominations from the Parish Councils in relation to these positions.

In relation to the new regulations, members of the Standards Committee sought clarification on the following issues:

- When recruiting for new members, they should bear in mind the number of declarations of interest that may arise from each member in connection with an investigation.
- Whether there had been changes to the required period of time, in which a hearing has to have been held by.
- The number of members they would require in order to carry out investigations and hearings, in particular an allegation against the District Council itself.
- As Mr Dulieu had retired as a Parish Councillor, would he have the opportunity to put himself forward in another capacity on the Standards Committee, as they may benefit from his experience.
- Due to the Local Government Review (LGR), were the current arrangements for the Standards Committee going to remain for the next 12 months and would there be the opportunity for positions to be transferred over to the County Council, once the District Council ceases to exist.
- In relation to the additional members required to form the sub-committees, what the procedure would be should a case arise whilst recruitment is ongoing.
- Whether there was a possibility of joint working between other Standards Committees for the final year, as this would keep recruitment costs to a minimum.
- That a training session on the new regulations be arranged for the members of the Standards Committee.
- Whether Parish Councils would be expected to take on additional responsibilities once the District Councils' ceased to exist and what would be required of them.
- Whether the responsibility of training others, falls within the remit of the Standards Committee.

The Monitoring Officer spoke in relation to the issues raised and advised:

- That he would consult with the regulations from the Standards Board in relation to the period of time a hearing must have taken place by.
- That the Committee would need to increase capacity in order to deal with the new changes.
- That Mr Dulieu could put himself forward as an Independent Member of the Committee, by making a formal application. He stated that by recruiting an experienced member to the panel, this would be a good utilisation of the remaining budget and resources, in terms of LGR and that in the past he has experienced difficulty in recruiting Parish Council Representatives and Independent Members, so those with

experience would be of great benefit. However, that said, it was vital that an open mind be kept and that the recruitment process be dealt with strictly on merit on the basis of applications submitted.

- That the Council and all positions on this committee would cease to exist on 31st March 2009, however there could be the opportunity to put there names forward for the Standards Committee for the new authority. He commented that this was to be discussed at the forthcoming County Monitoring Officers' Meeting. He also advised that there would be more Parish and Town Councils being set up as a result of LGR, which would require additional Standards Committee members as a result and that unfortunately current positions would not be transferred over to the new authority, they would have to recruit new members by the normal method.
- That they should establish the sub-committees as soon as possible, so they can be prepared if a case arose and that a meeting could be arranged for prior to the next planned meeting in order to establish the sub-committees
- That the joint working issue had already been raised, and there would be the possibility of working together with other Standards Committee in the area.
- That there was a number of training issues that had arisen from the new guidelines, including how they deal with complaints and that he still required the members to advise him on the training modules, they wish to undertake.
- That Parish Councils could be given more responsibility as a result of the demise of the District Councils and that the relevant authorities would be required to pay them for taking on the additional work and responsibilities.
- That the members could use their knowledge to inform others, particularly new members, about the Code of Conduct and to encourage them to adhere to the code, for their own protection.

RESOLVED: "That the comments made be noted".

67. CONSTITUTION AND FUNCTIONS OF THE STANDARDS COMMITTEE

The Monitoring Officer advised that copies of the annual reports for 2006/2007 and 2007/2008 had been handed out to the Members. He stated that the reports need to be looked at by the Chair and would therefore be dealt with as a formal agenda item at the next meeting.

He stated that the reports were due to go to full Council and advised that due to the financial implications of the forth-coming year, they need to ensure the remaining budget is used wisely.

Mrs Stephenson enquired whether joint working with other Standards Committees in the area would be best use of the remaining budget.

Discussion ensued in relation to the next Annual Assembly of Standards Committee, which was due to take place later in the year and whether a

representative from County level should attend, in order to provide feedback to themselves.

RESOLVED: "That the comments made be noted".

68. HEARINGS AND INVESTIGATIONS

There were no hearings or investigations to be considered by Members.

69. PUBLIC AWARENESS

The Vice-Chair advised that he had experienced difficulty finding the Standards Page on the District Councils' web page and that he had submitted a query on the website enquiring who he would need to contact to make a complaint against a Councillor.

The Monitoring Officer advised that a notice of local referrals template was available on the Standards Board website, which informed to the public how they can make a complaint against a Councillor. He stated that the notice could be displayed on the website, in the Council Offices, and also in the District News for the public to see. With regards to the notice, he queried whether the Chair of Standards Committee should be the contact for complaints made.

Mr Graham agreed that it should be the Chair; as he felt the public might be loathed to make a complaint if a council officer is the main contact for complaints.

Ms Henderson commented that the poster could be sent to the Parish Councils, for them to display.

Mrs Stephenson commented that the poster should be displayed through out the District, including Council Offices, Community Centres and at Parish Council Meetings and that the Members of this committee could also take a few to be handed out at community areas.

Ms Henderson commented in relation to the Standards Committee web page and advised that she had been able to access the page correctly.

The Monitoring Officer advised that he would speak to the IT manager about accessibility to the Committee's web page.

RESOLVED: "That the comments made be noted".

70. DATE AND TIME OF NEXT MEETING

The Monitoring Officer advised that a special meeting may be arranged prior to the next planned meeting, in order to establish the sub-committees however he would need to liase with the Chair on this and contact the members if they felt it was necessary.

RESOLVED: "That the next meeting of the Committee be held on Thursday 26th June 2008 at 4.00pm."

The meeting terminated at 5.35 pm