

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, 18 September 2008 at 4.00 pm

PRESENT:

Miss Vera G McEwan, Mr Malcolm Graham, Councillor Martin James Gollan, Mr Angus Graver, Mr Niels Hartman-Andersen and Councillor William Laverick

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

Also in attendance as a Member of the Public: Councillor Allan Bainbridge (Durham County Councillor for Chester-le-Street South Division).

14. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of I Clarkson, L Henderson and G Stephenson.

15. MINUTES OF MEETING HELD 26 JUNE 2008

RESOLVED: "That the minutes of the Meeting held 26 June 2008, copies of which had previously been circulated to each member, be confirmed as being a correct record, subject to the follow amendments –

- a) That Councillor Allan Bainbridge be referred to as attending the meeting as Member of the Public rather than a non-member of Standards Committee.
- b) That Page 2 (3rd paragraph) be amended to read "... (except Councillor I Clarkson who gave his apologies)."
- c) That Page 5 (10th paragraph) be amended to read "...and informed Members that he had been appointed as a Member of the Standards Committee for Durham County Council."
- d) That Page 6 (9th paragraph) be amended to read "...and whether the form would deter the public from making a complaint."
- e) That Page 6 (9th paragraph) be amended to include the additional sentence "Most of the Members present felt the form was unnecessary for the complaints procedure."

The Chair proceeded to sign the minutes.

16. DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest from Members.

17. CODE OF CONDUCT

In relation to a query raised by the Chair, the Monitoring Officer advised that a DVD explaining the Code of Conduct had been made available to the new Members of the Committee should they wish to improve their understanding of the Code.

The Chair queried whether the Council would be providing any training courses, which Members of the Committee may benefit from attending.

The Monitoring Officer advised that due to the restrictions put in place by Local Government Review the Council were not providing any training at present, however he would make enquires whether any training would be made available in the future.

RESOLVED: "That the comments made be noted".

18. REGISTER OF MEMBERS' INTERESTS

In relation to a query raised by the Chair, the Monitoring Officer advised Members that a yearly reminder would be sent as a matter of good practice to Councillors inviting them to notify the Monitoring Officer of any changes to the register and that these reminders were usually sent out in June or July, however due to staff shortages they had not been issued until September this year.

The Monitoring Officer informed Members that he had requested the details of all current Parish Councillors from the eleven Parish Councils, as he intended issuing reminders to both themselves and other co-opted Members in due course.

In relation to a comment made by the Chair, the Monitoring Officer advised that all independent Members of the Council's Standards Committee would receive a reminder in due course, however in line with the Code of Conduct, Members were required to notify the Monitoring Officer of any changes to the register as soon as possible.

RESOLVED: "That the comments made be noted".

19. TRAINING

The Chair advised Members that enquiries had been made in relation to booking two places for herself and the Vice-Chair to attend the Seventh Annual Assembly for Standards Committees. The Chair advised that unfortunately the Council were only able to book one place due to high demand and that she would be attend the Annual Assembly on behalf of the Committee.

In relation to a comment made by the Chair, the Monitoring Officer advised that he would look into whether they have access to any training courses, which could be provided in house, however due to the restrictions of LGR Members would not have access to a training budget.

The Monitoring Officer commented that a copy of the Local Standards Framework Guide for Authorities had been received from the Standards Board for England, which would be available for members to view, if they required.

The Monitoring Officer also stated that completion of the first statistical return to the Standards Board for England on behalf of the Council had taken place and advised that the response had been a 'nil return'. He commented that the second statistical return would be due shortly.

RESOLVED: "That the comments made be noted".

20. CONSTITUTION AND FUNCTIONS OF THE STANDARDS COMMITTEE AND LOCAL REFERRAL PROCEDURE

The Chair spoke in relation to the Local Referral Procedure and referred to her request for Members' comments in relation to the document at the previous meeting. She advised that any comments Members may have, should be forwarded to herself or the Monitoring Officer prior to the document being approved at the next meeting.

In relation to a query raised by the Chair, the Monitoring Officer informed Members that discussions had taken place with Monitoring Officers in County Durham in relation to transitional arrangements for next April. He advised that transitional arrangements would need to be in place, as the new authority would be required to deal with any on-going investigations passed over from the District Councils.

He also stated that the lack of transitional provisions relating to LGR had been drawn to the attention of the Standards Board, and whilst the query had been acknowledged, an appropriate response had not yet been received.

Councillor Laverick queried whether any cases, which may arise before the demise of the District Council next April, would need to be passed over to the new Authority in order for the case to be heard within the specified time limit.

The Monitoring Officer advised that should a case arise, the District Council's Standards Committee could deal with any initial hearings, however any further hearings and investigations would need to be resolved within the three month timescale which may result in the New Authority completing the investigation.

The Chair felt that the Standards Board for England should be involved in the preparation of any transitional arrangements relating to LGR and suggested that the Monitoring Officer pursue a response from them.

In relation to a comment made by Councillor Laverick, the Monitoring Officer advised that any allegation against a District Councillor would require to be investigated even if the said Councillor had since resigned or their term of office now come to an end.

The Monitoring Officer informed Members that Durham County Council, as the continuing authority, would take responsibility for any cases, the District Council were currently investigating.

County Councillor Bainbridge, who was attending as a member of the public, was invited to address the Committee and advised that the present County Councillors would become Unitary County Councillors next April, as they were currently operating as a shadow board for the new authority.

The Monitoring Officer advised that a hand over report could be made available to the new authority, which would give Members the opportunity to communicate any relevant information to the continuing authority.

RESOLVED: "That the comments made be noted".

21. HEARINGS AND INVESTIGATIONS

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

Councillor Gollan entered the Meeting at this point.

22. PUBLIC AWARENESS

The Chair advised that an article in relation to the work carried out by the Standards Committee, had been produced and placed in the autumn issue of the Council's District News magazine, which had been distributed to homes throughout the District.

The Chair also informed Members that the deadline for nominations for the Standards and Ethics award category at the 2009 LGC Awards had now passed.

RESOLVED: "That the comments made be noted".

23. DATE AND TIME OF NEXT MEETING

RESOLVED: "That the next Meeting of the Committee be held on Thursday 18th December 2008 at 4.00pm."

The meeting terminated at 4.35 pm