

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 December 2008 at 4.00 pm

PRESENT:

Miss Vera G McEwan, Mr Malcolm Graham, Mr James Armstrong, Mr Angus Graver, Ms Leigh Henderson, Councillor William Laverick and Mrs Gill Stephenson

Officers: C Potter (Head of Legal and Democratic Services), C D Simmonds (Assistant Solicitor) 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).

24. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of I Clarkson and N Hartman-Andersen.

25. MINUTES OF PREVIOUS MEETING HELD 18TH SEPTEMBER 2008

RESOLVED: "That the minutes of the meeting held 18 September 2008, copies of which had previously been circulated to each member, be confirmed as being a correct record."

The Chair proceeded to sign the minutes.

26. DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest from Members.

27. CODE OF CONDUCT

The Chair spoke in relation to the consultation paper on the Code of Conduct for Local Authority Members and Employees, details of which had been provided to Members in a letter sent by the Democratic Services Assistant. She advised that the Code of Conduct had been discussed in detail at the Annual Assembly, with particular emphasis on the consultation and the implications for Local Authority employees.

L Henderson and G Stephenson entered the meeting at this point.

The Monitoring Officer advised that the consultation paper proposed to introduce a requirement for authorities to incorporate a code of conduct for employees, based on a statutory model code of conduct. He stated that this may be confusing for Local Authority employees as they were currently governed by a Code of Conduct in accordance with the Local Government Act 1972 and he felt there needed to be clarification from the Standards Board for England on the proposal.

In relation to a query raised by Mr Armstrong, the Monitoring Officer confirmed that District Councillors were required to sign a declaration of office or written undertaking in accordance with the Code of Conduct, as part of their acceptance of office.

Discussion ensued in relation to the implications the proposal could have on Local Authorities' employees if adopted.

The Monitoring Officer felt the proposal could be beneficial however he queried whether there would be any financial implications for Local Authorities, as a result of the proposal.

The Chair advised that the deadline for responses to the consultation would be Wednesday 24th December 2008, should any Members wish to comment on the proposal.

RESOLVED: "That the comments made be noted".

28. REGISTER OF MEMBERS' INTERESTS

The Monitoring Officer informed Members that letters had been sent to Parish Councillors as a reminder that they needed to be compliant with the Code and to notify the Monitoring Officer of their interests in order for the Register of Members' Interests to be updated.

He further advised Members that once updated, the register would be held in electronic format, which would be beneficial when the new authority require the information to be transferred over.

RESOLVED: "That the comments made be noted".

29. TRAINING

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

The Monitoring Officer stated that completion of the second statistical return to the Standards Board for England on behalf of the Council would be due shortly. He also advised that he had not received any information updates from the Standards Board for several months.

In relation to a comment made by the Chair, the Monitoring Officer advised due to the restrictions of Local Government Review (LGR), Members would not have access to a training budget for the foreseeable future. He referred to possible changes in relation to the Code of Conduct, and advised Members that it would be difficult to provide training in relation to these changes because of the limited training resources.

RESOLVED: "That the comments made be noted".

30. CONSTITUTION AND FUNCTIONS OF THE STANDARDS COMMITTEE

The Chair spoke in relation to the Local Referral Procedure document and sought clarification from the Monitoring Officer as to whether the amended procedure could now be agreed by Members.

The Monitoring Officer confirmed that the procedure had been amended appropriately. He also advised that an appropriate response had still not been received from the Standards Board, with regard to the lack of transitional arrangements in relation to LGR.

Mr Armstrong queried whether any of the present District Council's Independent Members could be co-opted into the new Authority, should they be required to complete a investigation.

Discussion ensued in relation to transitional arrangements for next April and whether the County Council Standards Committee, as the continuing authority, would require additional Members.

County Councillor Bainbridge, who was attending as a member of the public, was invited to address the Committee and advised that the County Council were currently undertaking the recruitment process for additional Independent Members. He stated that any positions would be advertised in the local press.

The Monitoring Officer advised that a 'Handing over the Baton' report would be made available to the County Council, as the continuing authority, which would give both Members and Officers the opportunity to communicate any relevant information to the new authority.

RESOLVED: "That the comments made be noted".

31. HEARINGS AND INVESTIGATIONS

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

32. PUBLIC AWARENESS

The Chair reaffirmed 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.

RESOLVED: "That the comments made be noted".

33. DATE AND TIME OF NEXT MEETING

Discussion ensued in relation to the date and time the next Standards Committee would be held on.

Councillor Laverick proposed that the meeting in progress be the final meeting of the District Council's Standards Committee, as he felt the restrictions of LGR had left the Committee with few items to discuss.

Mr Graham and Mrs Stephenson suggested having a final meeting of the Standards Committee, as this would allow any additional information to be communicated to Members before vesting day.

Mrs Stephenson therefore felt that it would be beneficial to hold a final Meeting of the Standards Committee before the final Full Council Meeting, to allow any arising issues to be resolved.

RESOLVED: "That the date and time of the next Meeting of the Committee be confirmed by the Democratic Services Assistant at a later date."

The meeting terminated at 4.50 pm