

Item 3

SEDGFIELD BOROUGH COUNCIL

STANDARDS COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Thursday,
10 February 2005

Time: 2.00 p.m.

Present: Councillor J. Wayman J.P (Chairman) and
Councillors Mrs. B. Graham and A. Gray

Spennymoor Town Council
Councillor J. Marr

Independent Member
Mr. I. Jamieson

Apologies: Councillors Mrs. L. Hovvels, G.M.R. Howe and
Mr. L. Petterson

ST.17/04 DECLARATIONS OF INTEREST
There were no declarations of interest.

ST.18/04 MINUTES
The Minutes of the meeting held on 21st October, 2004 were confirmed as a correct record and signed by the Chairman.

ST.19/04 STANDARDS TRAINING UPDATE
21st January 2005 – Standards Event
I. Jamieson explained that he had attended the above event and gave details of how the day had been structured.

It was pointed out that consideration had been given to the Code of Conduct, specifically those areas that could be considered as bringing an authority into disrepute. The event also had included a mock hearing, which highlighted the important role of the Monitoring Officer.

Planned Member Training – Standards Update

It was explained that invitations detailing 3 dates, 24th February, 23rd March and 8th April 2005, had been circulated to all Members of the Council. The Monitoring Officer had received a number of responses for all the dates, therefore confirmation would be issued in the future as to when the training would take place.

Standards Board
26th May, 2005

The Monitoring Officer explained that Members would need to nominate a person to attend the event as only three tickets had been issued. It

was pointed out that a number of Members were interested in attending the event and had asked the Monitoring Officer to request a further three tickets. It was agreed that the Monitoring Officer would attempt to get the extra tickets and would advise individual Members as to whether they would be available.

5th and 6th September 2005

Members were informed that a report would be submitted to a future Cabinet in order to select a Member to attend.

ST.20/04

COUNTY DURHAM MONITORING OFFICERS GROUP

Members were informed that the Council's Monitoring Officer had recently attended and chaired the above Group on 7th January 2005.

It was explained that during the group meeting discussion had been held regarding training and workshops that would be available. Consideration had also been given to the role of the Monitoring Officer and the majority of authorities had stated that their preferred option would be to enlist the help of an outside organisation when dealing with investigations to prevent potential conflicts of interest.

The next meeting of the Group would be held in April and updates would continue to be brought to the Standards Committee.

ST.21/04

SUMMARY OF THE CHANGES TO THE LOCAL AUTHORITIES (FUNCTION AND RESPONSIBILITY) REGULATIONS 2000

Consideration was given to a report of the Solicitor to the Council and Monitoring Officer detailing the effect of a series of changes to the division of responsibilities between Cabinet and full Council. (For copy see file of Minutes).

Members were informed that the changes would cover a wide range of functions, such as decisions in relation to borrowing and capital expenditure, new planning legislation, licensing, highways, Monitoring Officers resources and overview and scrutiny.

It was explained that decisions relating to the Council's policy framework, budget, other constitutional and quasi legislative functions, as well as determining an application from a person regarding a licence approval, consent, permission, registration, or direct regulation of a person with any related enforcement actions would be the responsibility of the Council. All other functions would be the responsibility of Cabinet.

Specific reference was made to the requirement of the appointment of staff to support the Monitoring Officer. Members commented that the correct professional support needed to be provided in order for the Monitoring Officer to carry out the extra responsibilities. It was suggested that a report regarding staffing and resource implications be prepared and submitted to Council.

RECOMMENDED: (1) *That a report regarding staffing and resource implications be prepared and*

submitted to Council.

(2) That full Council considers the Report, approve the above and delegate to the Monitoring Officer responsibility to amend the Constitution to take account o the changes.

ST.22/04

ARRANGEMENTS FOR REVIEW OF THE CONSTITUTION

Consideration was given to a report of the Chief Executive Officer setting out details of the Council's Constitution that required immediate change. (For copy see file of Minutes).

It was explained that the Council's Constitution had been adopted on 24th May 2002, however it needed to be reviewed regularly to ensure that it reflected existing law and its operation continued efficiently and effectively in delivering the Council's aims and objectives.

RECOMMENDED : *That Council approves the amendments set out in the Appendix and directs the Council's Monitoring Officer :*

(a) To amend the Constitution accordingly and make all necessary and consequential amendments; and

(b) To publish an amended version on the Council's website.

ST.23/04

INTRODUCTION OF CHANGES TO THE ETHICAL STANDARDS ARRANGEMENTS UNDER THE LOCAL GOVERNMENT ACT 2000 - THE LOCAL AUTHORITIES (CODE OF CONDUCT) (LOCAL DETERMINATION) (AMENDMENT) REGULATIONS 2004 AND THE STANDARDS BOARD FOR ENGLAND (FUNCTIONS) ORDER 2004

Consideration was given to a report and slide presentation of the Solicitor to the Council and Monitoring Officer. (For copies see file of Minutes).

Members were informed that new Regulations would enable the Standards Board Officers to refer cases down four different paths, including directly to the Council's Monitoring Officer for investigation. Details regarding the types of cases that would require investigation by the Monitoring Officer, procedures, hearings and penalties were also given.

RECOMMENDED: *(1) That Council delegates responsibility to the Monitoring Officer to amend the Constitution to take account of the changes. (Report at Item 8 refers).*

(2) That the Monitoring Officer appraises Members of changes and subsequent

guidance when made available.

ST.24/04 PROPOSALS FOR LARGE SCALE VOLUNTARY TRANSFER OF COUNCIL HOUSING STOCK

Consideration was given to two reports prepared by the Council's external legal advisers, Trowers and Hamlins. (For copies see file of Minutes).

Conflicts of Interest and Decision-Making Arrangements

It was explained that the report detailed how Members should be appropriately advised when dealing with conflicts of interest during the Large Scale Voluntary Transfer process.

LSVT Consultation – Further Guidance to Members

Members were informed that the purpose of the report was to provide guidance on a number of issues relating to the proposed LSVT, particularly regarding the provision of information during the consultation process.

RECOMMENDED : That the information be received and distributed to Members and Officers.

ST.25/04 DATE OF NEXT MEETING

7th April, 2005 at 2.00 p.m. in Conference Room 1, Council Offices, Spennymoor.

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Miss. Sarah Billingham, Spennymoor 816166, Ext 4240