

## **DURHAM COUNTY COUNCIL**

### **STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 1B, County Hall, Durham on **Wednesday 23 November 2016 at 9.30 am**

#### **Present:**

**Councillor K Shaw (Chairman)**

#### **Members of the Committee:**

Councillors J Clark, E Huntington, B Kellett (Vice-Chairman), J Lindsay and M Nicholls

#### **Co-opted Members:**

Parish Councillor R Harrison

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors B Graham, G Holland and B Stephens, and Town Councillor T Batson.

#### **2 Declarations of Interest**

Councillor Lindsay declared an interest in complaints ref: COM073-079 of the report listed at item numbered 8 on the Agenda which provided an update on the handling of Code of Conduct complaints. The Member advised that he knew the complainant.

#### **3 Minutes**

The Minutes of the meeting held on 9 September 2016 were agreed as a correct record and were signed by the Chairman.

#### **4 Local Government Standards - Reappointment of Independent Persons**

The Committee considered a report of the Head of Legal and Democratic Services which informed Members of the re-appointment of the two independent persons, Peter Jackson and John Dixon-Dawson (for copy see file of Minutes).

In accordance with the requirements of the Localism Act 2011 the independent persons were appointed to the Standards Committee in September 2012. Following a widening of the role in 2015 the Council agreed that the term of office for the independent persons should be set at four years from the time of appointment.

The existing term of office ended in September 2016 and the Council at its meeting on 21 September 2016 resolved to re-appoint the independent persons in order to keep continuity of expertise in relation to the Council's Standards regime.

**Resolved:**

That the re-appointment of the independent persons be noted.

**5 Standards Committee Hearing Panel - Alleged Breaches of West Rainton and Leamside Parish Council's Code of Conduct**

The Committee considered a report of the Head of Legal and Democratic Services which informed Members of the outcome of the Standards Committee Hearing Panel held on 6 September 2016 to consider a number of complaints concerning the alleged conduct of Councillor Mark Gilbank of West Rainton and Leamside Parish Council (for copy see file of Minutes).

A copy of the Decision Notice of the Hearing Panel was attached at Appendix 2 for information.

**Resolved:**

That the outcome of the Hearing Panel be noted.

**6 Any Other Business**

**Code of Conduct Training**

The Governance Solicitor reported that training sessions had been held for Horden Parish Council on 21 September 2016 and for Etherley Parish Council on 10 November 2016.

**Resolved:**

That the information given be noted.

**7 Exclusion of the Public**

**Resolved:**

That under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A of the Act.

**8 Code of Conduct Complaints**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update in respect of alleged breaches of the Code of Conduct since the last meeting (for copy see file of Minutes).

The table at Appendix 2 of the report provided an overview of complaints handling and decision notices were available for inspection by Members.

In response to a question from the Chairman about the period of purdah before the local elections in May 2017, the Committee was informed that consideration of Code of Conduct complaints would continue during this period.

Following a question from Councillor Lindsay about vexatious complaints, the Governance Solicitor confirmed that to date the Habitual or Vexatious Complaints Policy had not been applied.

**Resolved:**

That the report be noted.