

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1A , County Hall, Durham on **Thursday 8 June 2023 at 9.30 am**

Present:

Councillor J Nicholson (Chair)

Members of the Committee:

Councillors M Abley, J Atkinson, L Mavin, T Stubbs and C Varty

1 Apologies for Absence

Apologies for absence were received from Councillors K Rooney, A Savory, G Smith, T Smith, F Tinsley and A Doig.

2 Declarations of Interest, if any

There were no declarations of interest.

3 Minutes

The minutes of the meetings held on 17 March and 10 May 2023 were agreed as a correct record and signed by the Chair.

4 National Picture

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the national picture on standards issues affecting local government (for copy see file of Minutes).

The Committee discussed the investigation by West Northamptonshire Council in which a Councillor was found to have breached the code of conduct at a planning committee by forceful intervention and having a predetermined view. The Chair had allowed the Councillor to act as substitute despite not being registered. This was significant as the application had been denied on the chair's casting vote and had the request to act as substitute been denied, the application would have been granted.

In response to a query from Councillor Atkinson, H Lynch, Head of Legal and Democratic Services advised that it was unusual that the Chair had felt able to allow the member to act as substitute. The County Council's arrangements set out rules in relation to substitutes attendance at meetings and she would expect the Legal advisor or Committee Clerk to the meeting to advise on these as appropriate.

Resolved: A) that the report be noted and b) that Officers continued to monitor the progress of the matters referred to and keep the Committee updated.

5 Code of Conduct Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on complaints received by Durham County Council under the Code of Conduct for Members since the last meeting on 17 March 2023 (for copy see file of Minutes).

The Standards Committee noted the decision to apply the vexatious complaints policy to two complainants with regards to one of the complaints received prior to 6 March 2023, The complainants have been informed that any further complaints made by them will not be considered for at least 12 months.

Resolved: That the contents of the report be noted.

6 Annual Report of the Standards Committee 2022/23

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an overview of the work of the Standards Committee during 2022/23 and set out the future direction that the Committee intended to take during 2023/24 (for copy see file of minutes).

L Smith, Legal Officer, presented the report and confirmed the role of the Standards Committee, work during 2022/23, an update with regards to the recruitment of Independent Persons, a breakdown of the number of complaints considered in 2022/23 and the workplan for 2023/24.

Resolved: a) That the report be noted and b) that the report be presented to the Council on 19 July 2023.

7 Procedure for Member Code of Conduct Complaints

The Committee received a report of the Head of Legal and Democratic Services and Monitoring Officer to confirm the proposed revisions to the Local Assessment Procedure and the Local Determination Procedure and to

agree the Procedure for Member Code of Conduct Complaints (for copy see file of minutes).

The Head of Legal and Democratic Services summarised the proposed changes to the Procedures and confirmed that the Constitution Working Group had been consulted prior to the recommendation for adoption.

Resolved: a) that the proposed amendments to the Procedure for Member Code of Conduct Complaints are noted (b) That minor amendments to the Procedure following consultation with Constitution Working Group are noted and (c) that the revised Procedure for Member Code of Conduct Complaints be adopted with immediate effect.

8 Local Government Association "Debate Not Hate" Campaign

The Committee received a report of the Head and Legal Democratic Services and Monitoring Officer which informed Members of any developments of the Local Government Association (LGA)'s Debate Not Hate campaign (for copy see file of minutes).

K Marley, Apprentice Solicitor, presented the report which included background information regarding the campaign, provided details of the Supporting Councillors With Abuse Project and the LGA's response to the Online Safety Bill.

Resolved: that the report be noted.

9 Appointment of Independent Persons to the Standards Committee

The Standards Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer regarding the Appointment of three new Independent Persons to the Standards Committee (for copy see file of minutes)

The Head of Legal and Democratic Services presented the report and confirmed that following the Standard Committee on 10 May 2023, the County Council had delegated the responsibility for the appointment of Independent Persons to the Standards Committee.

The Committee noted that the support of the Interim Independent Person, K Milner would no longer be required, however she had agreed to continue until the handover was complete. The Committee recognised the invaluable support provided by Ms Milner since undertaking the role in February 2023.

Resolved: (a) that Chris Hugill, David Rogers and Steven Winder be appointed as Independent Persons to the Standards Committee with effect

from 12 June 2023 for a term of two years and (b) that the Chair write to K Milner on behalf of the Committee, to thank her for her support as interim Independent Person.