

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Council Chamber, County Hall, Durham on **Friday 9 September 2016 at 11.30 am**

Present:

Councillor B Kellett (Chairman)

Members of the Committee:

Councillors J Clark, G Holland, E Huntington, J Lindsay and W Stelling

Co-opted Members:

Town Councillor T Batson

1 Apologies for Absence

Apologies for absence were received from Councillors M Dixon, M Nicholls, K Shaw and Parish Councillor R Harrison.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The Minutes of the meeting held on 6 May 2016 were agreed as a correct and were signed by the Chairman.

4 Committee on Standards in Public Life - Annual Report 2015-16/Forward Plan 2016-17

Consideration was given to the report of the Head of Legal and Democratic Services which advised of activities of the Committee on Standards in Public Life (the Committee) in relation to Local Government standards over the course of the past year and the Committee's forward plan of work for 2016-2017 (for copy see file of Minutes).

The Governance Solicitor reported that the North East Monitoring Officers Group had informed the Committee that Councils were satisfied with their own local standards frameworks but that the sanctions regime was not strong enough to address breaches of the Code of Conduct.

Councillor Clark agreed that the sanctions available needed to be strengthened, particularly as investigations into alleged breaches required a lot of work by Officers.

In response to a comment from Councillor Batson, the Member was informed that, with the exception of Stanley Town Council, Parish and Town Councils in County Durham had adopted the NALC Code of Conduct.

Resolved:

That the report be received.

5 Annual Report of the Standards Committee 2015/2016

Consideration was given to the report of the Head of Legal and Democratic Services which informed Members of the work of the Standards Committee during 2015/16 and set out the future direction which the Committee intended to take during 2016/17 (for copy see file of Minutes). Members were advised that the report would be presented to the County Council on 21 September 2016.

The Governance Solicitor reported that there had been an increase in the number of complaints in 2015/2016 compared to the previous year which was partly due to the Code of Conduct being misused by Councillors as a weapon against an individual with whom there was a political or personal difference of opinion.

Councillor Holland referred to the use of social media by Councillors and considered that it should be used with caution to avoid potential complaints of alleged breaches of the Code of Conduct. The Governance Solicitor advised that the use of social media was addressed in Code of Conduct training.

With regard to training and development in the year, refresher training had been hosted by Durham County Council for all Parish and Town Councils in November 2015 with a refresher session for Ferryhill Town Council in January 2016. Sessions were to be held for Horden, Etherley and Chilton Parish Councils in the near future.

For information the Committee was informed that the term of office of the independent persons was due to end on 18 September 2016, and because of the experience they had gained, and for continuity, a report was to be presented to the County Council on 21 September 2016 recommending their re-appointment for a further four year term.

Resolved:

That the report be noted and presented to County Council on 21 September 2016.

6 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 3 of Schedule 12A of the Act.

7 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 complaints 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.

For information the Governance Solicitor informed Members of the outcome of a Standards Committee Hearing Panel held on 6 September 2016 which had found a breach of the Code of Conduct by Councillor Gilbank of West Rainton and Leamside Parish Council. The Decision Notice would be submitted to the next meeting of the Standards Committee for information.

Resolved:

That the report be noted.