

## **STANDARDS COMMITTEE**

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in Committee Room 1, Sherwood Lodge, Bolsover, on Monday 14<sup>th</sup> December 2009 at 1400 hours.

### **PRESENT:-**

Independent Members: K. Belshaw, R. H. Bishop and J. Yates.

Parish Council Members: - T. Munro and K. Reid.

Members: - H. Gilmour, and V. P. Mills.

Officers:-

W. Lumley (Chief Executive Officer) (from Minute No. 576), S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer), A. Turner, (Legal and Standards Officer), and K. Rodda (Democratic Services Officer).

J. Yates - Chair

### **565. APOLOGIES**

Apologies for absence were received from Councillors T. Connerton, A. M. Syrett, S. Wallis and Parish Councillor H. Wright.

### **566. URGENT ITEMS**

There were no urgent items of business to consider.

### **567. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## STANDARDS COMMITTEE

### **568. MINUTES 12<sup>TH</sup> OCTOBER 2009**

Moved by Councillor H. Gilmour, seconded by Councillor V. P. Mills  
**RESOLVED** that the minutes of a meeting held on 12<sup>th</sup> October 2009 be approved as a correct record.

### **569. RECOMMENDED ITEM FROM COUNCIL – 15<sup>TH</sup> JULY 2009 – CHANGES TO THE TERMS OF REFERENCE FOR THE AUDIT COMMITTEE**

The Legal and Standards Officer presented the report which notified Standards Committee of changes to the Terms of Reference for Audit Committee.

Moved by Councillor Munro, seconded by Councillor K. Reid  
**RESOLVED** that the changes to the Terms of Reference for the Audit Committee be included in the Constitution.

(Constitution)

### **570. COMPLAINTS AGAINST MEMBERS**

The Monitoring Officer presented the report which informed the meeting of the number of complaints made against Members during the current year and compared this with figures over the last seven calendar years. There had been two more complaints received since the report had been compiled.

Reports in 2010 would include a table showing the number of Local Assessment meetings and the average number of days taken per decision.

The report was noted.

### **571. RIPA**

The Monitoring Officer presented the report which reminded Members that at a previous Standards Committee changes to the RIPA Policy and Procedure had been approved. This report now proposed further changes by the government but this did not indicate any further changes to the RIPA regime operated by this Authority.

The report was noted.

## STANDARDS COMMITTEE

### **572. COUNCILLOR CALL FOR ACTION.**

The Monitoring Officer presented the report which informed the meeting how Council had approved the procedure for introducing the Councillor Call for action (CCfA) on 22<sup>nd</sup> April 2009 and how the procedure now needed including in the Council's Constitution. The forms and guidance were attached to the report.

The Monitoring Officer also informed the meeting that the records for this will be kept within Democratic Services.

Moved by Councillor T. Munro, seconded by Councillor V. P. Mills  
**RECOMMENDED** that the CCfA form and guidance be included in the Council's Constitution in Part 4.5.

(Council)

### **573. UPDATE ON RECRUITMENT PROCESS FOR INDEPENDENT MEMBERS.**

The Legal and Standards Officer updated the meeting on the process for the recruitment of Co-opted Independent Members to the Standards Committee. Adverts have gone out, 19 people have expressed an interest so far and 8 completed forms have been received to date. The closing date is 18<sup>th</sup> December 2009 and it was anticipated that interviews will take place early in the New Year with an anticipated start date for new Co-opted Independent Members being March/April 2010.

The report was received.

### **574. ADJUDICATION PANEL FOR ENGLAND – TRANSFER OF WORK TO FIRST – TIER TRIBUNAL**

The Legal and Standards officer presented the item for Members information.

The report was noted.

## STANDARDS COMMITTEE

### 575. ADDENDUM TO PROTOCOL ON MEMBER/OFFICER RELATIONS

The Monitoring Officer presented the report which informed the meeting how there was already a protocol for Member/Officer relations and how this now needed revising to include data and CCTV systems.

The addendum for inclusion in the Constitution was attached to the report.

Moved by Councillor T. Munro, seconded by Councillor V. P. Mills  
**RECOMMENDED** that the Addendum to the Protocol on Member/Officer Relations be approved for inclusion in the Constitution.

(Council)

### 576. PARISH COUNCILLORS WHO HAVE FAILED TO SUBMIT A REGISTRATION OF INTERESTS FORM

The Legal and Standards Officer presented the report which informed the meeting that at the time of writing the report there were 2 Town/Parish Councillors who had not submitted a Register of Interests form despite repeated reminders.

Discussions took place on how to deal with this now, as they have been in breach of the Code of Conduct since 2007. It was agreed that they be requested to appear before a panel of the Committee's Members to explain why they had not filled in their Register of Interests Forms. The letter to be sent by Recorded Delivery and for it to include the reasons why this action had been taken.

The panel to be appointed by the Monitoring Officer.

It was also suggested that this be followed by a complaint if the meeting is unsuccessful

Moved by Councillor K. Reid, seconded by Councillor T. Munro  
**RESOLVED** that the 2 Town/Parish Councillors be invited to appear before a panel of the Standards Committee.

(Monitoring Officer)

## STANDARDS COMMITTEE

### 577. REVIEW OF MEMBERS JOB DESCRIPTIONS

The Legal and Standards Officer presented the report which informed the meeting that a review of Member's job descriptions had taken place and updated to provide a more comprehensive and relevant indication of what the roles entailed.

Existing roles in the Constitution were Leader of the Council, Executive Members and Chair of the Council. New job descriptions included All District Councillors, Deputy Leader of the Council, Opposition Leader, Chairs of Planning, Licensing and Standards Committee, and Vice Chairs of all Committees.

The job description for Members of Scrutiny Committee had not been considered as part of the review as the current structure of the Scrutiny process is subject to a separate review. All the proposed job descriptions were attached to the report.

Councillor Mills requested that recognition of Members being a Ward Councillor be included in the job descriptions.

It was agreed that Members bring their comments on the job descriptions back to the next Standards Committee.

The report was noted.

### 578. CEO – DELEGATION SCHEME – CHANGES

The Legal and Standards Officer presented the report which explained how from time to time the Council is involved with disputes with its employees over employment related matters and how occasionally it was necessary to commit expenditure to resolve these disputes. It was proposed therefore to authorise the Chief Executive Officer as Head of Paid Service to commit expenditure in resolving or pursuing employment related disputes.

Moved by Councillor K. Reid, seconded by Councillor H. Gilmour  
**RECOMMENDED** that the Constitution be amended to authorise the Chief Executive Officer:

'In consultation with the Leader or Deputy Leader and on the recommendation of the Solicitor to the Council to approve expenditure in the pursuance or determination of any employment related disputes.'

(Council)

## STANDARDS COMMITTEE

### 579. STANDARDS BOARD FORUM

The Monitoring Officer presented the item for Members information and requested that if Members wished to access the forum, they were asked to get in touch with her direct and she would set them up.

The report was noted.

### 580. STANDARDS COMMITTEE – WORK PLAN

The Monitoring Officer presented the Standards Committee Work Plan for Member's information.

The Work Plan was noted.

### 581. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor H. Gilmour seconded by Councillor V. Mills

**RESOLVED** that under Section 100(A) (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

### 582. EXEMPT – PARAGRAPH 7 LETTER FROM SCARCLIFFE PARISH COUNCIL

The Monitoring Officer presented the letter to the meeting.

Discussions took place about whether all Parish/Town Councils were fully aware of the Local Assessment procedures and criteria, and whether training was available.

It was suggested that a letter be sent out from the Standards Committee endorsing the Monitoring Officer's original comments.

The report was noted.

## **STANDARDS COMMITTEE**

The meeting closed at 1445 hours.

After the meeting a DVD was shown on 'Local Assessment of Complaints', but as some Members were not at the meeting and others could not stay for the whole of the showing, it was agreed to show this again at the next meeting and for it to be first on the agenda.