

STANDARDS COMMITTEE

**THURSDAY 4TH
NOVEMBER 2010
AT 1400 HOURS IN
COMMITTEE ROOM 1**

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Sherwood Lodge
Bolsover
Derbyshire
S44 6NF

Date: 26th October 2010

Dear Sir or Madam,

You are hereby summoned to attend a Standards Committee meeting of the Bolsover District Council to be held in Committee Room 1, Sherwood Lodge, Bolsover, on Thursday 4th November 2010 at 1400 hours.

Members are reminded that under Section 51 of the Local Government Act 2000 the Bolsover Code of Conduct was adopted by the Council on 16th May 2007. It is a Councillor's duty to familiarise him or herself with the rules of personal conduct by which Councillors must conduct themselves in public life. In addition, Members should review their personal circumstances on a regular basis with these rules in mind and bearing in mind the matters listed on the Agenda for discussion at this meeting.

Copies of the Bolsover Code of Conduct for Members will be available for inspection by any Member at the meeting.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their interests under paragraph 14 or 15 of the Code of Conduct provide written notification to the Authority's Monitoring Officer.

Members are reminded of the provisions of Section 106 of the Local Government Finance Act 1992 and the responsibility of Members to make a declaration at this meeting if affected by the Section and not to vote on any matter before this meeting which would have an affect on the Council's budget.

You will find the contents of the agenda itemised on page 37.

Yours faithfully,



Chief Executive Officer
To: Members of the Standards Committee

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in Committee Room 1, Sherwood Lodge, Bolsover, on Tuesday 3rd August 2010.

PRESENT:-

Independent Member: J. Yates, B. Betts, J. Hill, J.R. Jaffray, D.J. Wright.

Members: - Councillors M.J. Dooley and A.M. Syrett.

Officers:-

S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer), J. Brooks (Director of Resources)(to Minute No 236) and A. Bluff (Democratic Services Officer).

J. Yates – In the Chair

Members asked that a letter of thanks be sent to Councillor H. Wright thanking him for his contribution to the work of the Standards Committee.

229. APOLOGIES

Apologies for absence were received from Councillors H.J. Gilmour, P.R. Hendry, V. P. Mills, K. Belshaw (Independent Member), A. Gascoyne (Independent Member), R. Lilley (Independent Member), T. Munro (Parish Council Member) and K. Reid (Parish Council Member).

230. SHADOW VICE CHAIR

It was suggested that if any Independent Member felt that they would like to take on the role of Vice Chair of the Standards Committee in a future year, they could shadow the current Vice Chair starting in October this year until the last Standards Committee meeting of the current cycle in 2011.

The Chair added that he intended to put back his resignation as Chair of Standards Committee for one year after May 2011 to give the current Vice Chair a feel for the work of Standards. An Independent Member would be required as Vice Chair in 2012.

If any Independent Member felt that they would like to take on the role of Vice Chair they could speak to the Chair or the Monitoring Officer for this to be considered further at the next meeting in September.

STANDARDS COMMITTEE

231. URGENT ITEMS

There were no urgent items of business to consider.

232. DECLARATIONS OF INTEREST

There were no declarations of interest made.

233. MINUTES – 10TH MAY 2010

Moved by Councillor A. M. Syrett, seconded by Councillor J. R. Jaffray
RESOLVED that the minutes of a Standard Committee meeting held on 10th May 2010 be approved as a correct record.

234. MINUTES – 9TH JUNE 2010

Moved by Councillor M. J. Dooley, seconded by Councillor A. M. Syrett
RESOLVED that the minutes of a special Standards Committee meeting held on 9th June 2010 be approved as a correct record.

235. RECOMMENDED ITEM FROM COUNCIL HELD ON 30TH MARCH 2010 – TREASURY MANAGEMENT STRATEGY 2010/11

The Director of Resources presented the recommended item which gave details of a number of changes required by both government and the Audit Commission to the Council's Treasury Management function.

One of these changes was for greater scrutiny of the Council's Treasury Management Strategy and policies and Audit Committee would be the responsible body for ensuring that this happened. This would require a revision to the Council's Constitution in relation to Audit Committee's terms of reference together with changes to the functions of Executive.

It was noted that Executive and Audit Committee Members had received training, earlier in the year, on the Treasury Management Strategy from Butlers, the Council's advisors on Treasury Management issues.

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Moved by R.J. Jaffray, seconded by Councillor A.M. Syrett

RESOLVED that a revision to the Council's Constitution that the Audit Committee ensures effective scrutiny of the Treasury Management Strategy and policies and this be included in Audit Committee's terms of reference together with changes to the functions of Executive.

(Head of Democratic Services (Constitution))

The Director of Resources left the meeting.

236. RECOMMENDED ITEM FROM COUNCIL HELD ON 14TH JULY 2010 – ADOPTION OF A PETITION SCHEME

The Solicitor to the Council and Monitoring Officer introduced Kath Whittingham to the meeting and gave a brief explanation of her role as Head of Democratic Services.

The Head of Democratic Services presented the recommended item which gave details of a Petition Scheme adopted by the Council on the 14th July 2010 which would require inclusion in the Council's Constitution.

There were two types of petition which people could put forward to the Authority; Petitions requiring Council debate – these would require 1% of the population or 700 signatures to trigger. Petitions to hold a relevant accountable employee to account – these would require 350 signatures to trigger.

The Petition Scheme was published on the Councils' website and an article would be printed in the next edition of the Council's 'In Touch' magazine for those people without access to the internet. This article would also provide details of where copies of forms could be obtained from.

The Head of Democratic Services further advised the meeting that all local authorities would need to have an on-line petition facility by the 15th December 2010 and a further report would be brought to Standards Committee regarding this nearer that time.

Further to questions raised by Members, the Head of Democratic Services advised the meeting that a petition could be brought to the Council by anyone of any age group on any topic. Regulatory issues, i.e., Planning and Licensing did not fall under this Petition Scheme.

Moved by B. Betts, seconded by Councillor A.M. Syrett

RESOLVED that the Petitions Scheme be included in the Council's Constitution.

(Head of Democratic Services (Constitution))

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237. AMENDMENTS TO CONSTITUTION FOLLOWING ADOPTION OF PETITION SCHEME

The Head of Democratic Services presented the report which gave details of the following amendments necessary to Parts 1, 2, 3 and 4 of the Council's Constitution to take account of the recently adopted Petition Scheme.

Part 1 Citizen's Role (add)

Submit a petition to the Council in accordance with the Council's adopted Petition Scheme. Details of the scheme can be obtained from Democratic Services Department, the four Contact Centres and from the Council's website at www.bolsover.gov.uk

Part 2 Articles of the Constitution – Article 3(3) Participation (add)

The Council has also adopted a Petition Scheme which will enable citizens to submit petitions to the authority.

Part 2 Articles of the Constitution – Article 4.2 Functions of the Council (add)

Debate petitions to the Authority which contain 1% of the population of the District (700 signatures).

Consider any referral from a Scrutiny Committee where an appeal has been made against how the Council has dealt with a petition.

Part 2 Articles of the Constitution – Article 6.3 Scrutiny Committee – Specific Functions (add)

Petitions

- (i) deal with petitions that contain at least 350 signatures requiring a relevant employee to give evidence at Scrutiny Committee on a matter for which the officer is responsible as part of their job.
- (ii) Deal with requests from petition organisers to review the proceedings undertaken by the Authority in response to a petition and determining the appropriate course of action to deal with it.

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- Part 3 Responsibility for Functions – 3.2 Council Functions (add)
- Debate petitions to the Authority which contains 1% of the population of the District (700 signatures).
- Part 3 Responsibility for Functions – 3.3 Executive Functions (add)
- To respond to the views of the Council on petitions which have been debated at Council where the petition relates to an executive function or executive matters.
- Part 3 Responsibility for Functions – 3.6 Committee Terms of Reference (2), (3) and (4) (add to the end of each)
- (i) deal with petitions that contain at least 350 signatures requiring a relevant employee to give evidence at Scrutiny Committee on a matter for which the officer is responsible as part of their job;
- Relevant accountable employees; A petition to hold a relevant accountable employee to account is for the following posts:*
- Head of Paid Service)*
Monitoring Officer) Statutory officers
Section 151 Officer)
Director of Neighbourhoods
Director of Development
- (ii) deal with requests from petition organisers to review the process undertaken by the Authority in response to a petition and determining the appropriate course of action to deal with it.
- Part 4 Rules of Procedure – 4.1.10 Questions by the Public (add section)
- Petitions Requiring a Council Debate
- The Council will debate any petition received by the Authority which contains 1% of the population of the District (700 signatures).

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The procedure for dealing with petitions which have triggered a Council debate are as follows:

- (i) The petition organiser (or councillor representing the petitioner) will have five minutes in which to present the petition to Council and outline what the petition seeks to achieve.
- (ii) Where the petition relates to no more than two wards, a member from those wards will be the first member to speak in the debate, following the petition organiser and will propose a motion relating to the action sought by the petition. A seconder to the motion to be sought. Where it is a matter that relates to more than two wards, the vice-chairman of the Council will be the first member to speak and propose a motion for debate.
- (iii) Members to have a maximum of 30 minutes to debate the petition.
- (iv) At the end of the debate or when no further members have indicated to the Chairman their wish to speak, whichever is the sooner, the motion will be put to the vote.
- (v) If following the vote the matter is for the Executive to deal with, the appropriate Portfolio Holder will be given the opportunity to speak after the debate.
- (vi) The Council's rules of debate in 4.1.16 shall apply.

Part 4 Rules of Procedure – 4.5.13 Members and Officers Giving Account (add)

To ensure that meetings at which relevant accountable employees, who are giving evidence in response to a petition, are conducted in a professional and fair manner.

Moved by M.J. Dooley, seconded by Councillor R.J. Jaffray

RECOMMENDED that the Council be recommended to include in the Council's Constitution the amendments as specified above.

(Solicitor to the Council and Monitoring Officer / Head of Democratic Services)

The following item was brought forward to alleviate waiting time for the Head of Democratic Services.

STANDARDS COMMITTEE

238. A BEGINNERS GUIDE TO THE CONSTITUTION

The Council's Constitution was required by law and was a complex document which set out how the Council operated and how it made decisions.

The Head of Democratic Services presented a condensed version of the Council's Constitution entitled, 'A Beginner's Guide to the Constitution', for the meetings consideration. This had been written for ease of understanding for the benefit of the public, officers and Members, with the language kept as user friendly as possible. The document would be published on the internet and a notice put in local papers informing that it was available to the public.

A short discussion took place and it was suggested that the document could benefit further from flow charts and diagrams. The Head of Democratic Services replied that this could be considered and added that the Constitution was also available in audio form on the Council's new website.

The Chair thanked the Head of Democratic Services for her work on condensing the Constitution.

Moved by Councillor M.J. Dooley, seconded by B. Betts
RESOLVED that the 'Beginners Guide to the Constitution' be noted.

(Head of Democratic Services)

239. LETTER FROM STANDARDS FOR ENGLAND

The Chair presented a letter received from Standards for England dated 1st June 2010.

The letter informed the meeting that as no further details had been made available since the Government's recent proposals to 'abolish the Standards Board regime'. The statutory framework remained operative.

A short discussion took place.

RESOLVED that the letter from Standards for England be noted.

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240. DEPARTMENTAL GIFTS AND HOSPITALITY REGISTER

The Solicitor to the Council and Monitoring Officer presented the report, which gave details of the outcome of a review carried out in July 2010, on all departments' gifts and hospitality registers. A review was carried out annually so the results could be used to help Standards Committee evaluate any changes / improvements that may be necessary to the ethical framework.

It was noted that there had been an increase in the number of gifts registered for Street Services over the previous year and it was thought that this was due to a presentation carried out at the depot by the Solicitor to the Council and Monitoring Officer to raise awareness in Street Services of the requirement to register and of the guidance on registering gifts and hospitality .

Members raised questions and a short discussion took place.

Moved by Councillor M.J. Dooley, seconded by R.J. Jaffray

RESOLVED that 1) the outcome of the review be noted,

2) an item be put on the weekly bulletin confirming completion of the review.

(Solicitor to the Council and Monitoring Officer)

241. COMPLAINTS TO THE STANDARDS BOARD

The Solicitor to the Council and Monitoring Officer presented the report which gave details of the number of complaints made to the Standards Board against Members in 2010. The table providing information of the average time taken to reach a decision by the LAC meetings was also attached to the report.

Moved by B. Betts, seconded by M.J. Dooley

RESOLVED that the report be noted.

242. DRAFT STANDARDS COMMITTEE WORK PLAN

The Solicitor to the Council and Monitoring Officer presented the draft Standards Committee Work Plan to the meeting.

It was reported that all District Councillors should have received training by September 2010.

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A short discussion took place and questions were raised with regard to what sanctions would be imposed on Councillors who did not attend training.

The usual annual review of RIPA (Regulation of Investigatory Powers Act) would be carried out, though Members were informed that the coalition Government were looking to change the RIPA process so Councils could no longer regulate themselves but would have to go to a Magistrate instead.

The Solicitor to the Council and Monitoring Officer advised the meeting that it was intended to review the Job Descriptions for Scrutiny Committee Members to reflect the recent change of one Scrutiny Committee to three Scrutiny Committees.

A question was raised as to target dates for completion of actions on the work plan. The Solicitor to the Council and Monitoring Officer agreed to look at this.

RESOLVED that the draft Standards Committee Work Plan be noted.

The meeting concluded at 1445 hours.

**AGENDA ITEM 4
RECOMMENDED ITEM FROM
EXECUTIVE – 6TH SEPTEMBER 2010**

312. COMMUNITY BRIDGING LOAN

The Portfolio Holder for Regeneration introduced the report to seek the Executive's agreement to authorise bridging loans to community groups who had applied for LEADER grant funding. Members were advised that although these groups were awarded LEADER funding, all project costs had to be paid for by the applicant community groups in the first instance and claimed back retrospectively. This created a significant cash flow problem for these groups that had previously been able to overcome this problem with a 0% loan provided by Derbyshire County Council. This facility had been withdrawn by Derbyshire County Council on 31st March 2010.

It was suggested that Bolsover District Council may be able to extend this facility to community groups in Bolsover. Further details of the terms of the proposed scheme were outlined in the report.

Members raised questions in respect of the security of any loans provided. The Director of Resources advised that loans would only be agreed on production of a signed grant funding agreement, a risk assessment of the project, credit checks and submission of 3 years of the organisation's accounts. The loan would be provided piecemeal on a month by month basis and therefore this was the maximum potential risk to the Council. It was added that the volume of requests for this facility was likely to be very low.

Moved by Councillor A. Tomlinson, seconded by Councillor K. Bowman

RESOLVED that (1) delegated authority be given to the Director of Resources, in consultation with the Cabinet Member for Regeneration, for authorisation of bridging loan applications based on reviewing the documentation outlined in the report.

(2) the Standards Committee and Council be recommended to approve the Director of Resources' delegation for inclusion in the Council's Constitution.

REASON FOR DECISION: To develop vibrant town centres and flourishing rural communities.

(Director of Resources/Head of Democratic Services)

Committee:	Executive	Agenda Item No.:	10.
Date:	6 th September 2010	Status	Open
Category	2. Decision within the functions of Executive		
Subject:	Community Bridge Loan		
Report by:	Head of Regeneration		
Other Officers Involved	Projects Officer Business Growth		
Director	Director of Development		
Relevant Portfolio Holder	Councillor A. Tomlinson, Portfolio Holder for Regeneration		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

REGENERATION – Developing healthy, prosperous and sustainable communities by ensuring continued use of town centre premises.

TARGETS

N/A

VALUE FOR MONEY

Enabling valuable community led projects to be delivered by community organisations.

1. Background

We have three community groups in the District who are applying for LEADER grant funding support. If successful, as with all grant funding, the project cost would have to be claimed back retrospective which causes a cash flow barrier to them accessing funding.

This potential barrier had been previously overcome by the use of a 0% bridging loan facility provided by Derbyshire County Council. This loan facility had been promoted to the community groups and the LEADER programme up to September 2009. Unfortunately, this facility has been withdrawn by Derbyshire County Council 31st March 2010. This withdrawal has resulted in Bolsover District community organisations going through the full application process (up to 9 months in some cases) and if successful, would be unable to access the grant fund due to the need of paying for the work up front.

Would Bolsover DC be able to provide a similar loan fund facility to community groups in the District? The Derbyshire County Council scheme was secured against an asset and the final loan decision was taken after reviewing the accounts of the applicant. It is proposed that BDC could work in a similar basis and the Director of Resource has received details of the DCC scheme. Details below:

“The capital and revenue loan fund was established in October 2000 to support voluntary organisations facing cash flow difficulties. At the time there were major funding opportunities available from European Regional Development Fund (ERDF), European Social Fund (ESF) and Single Regeneration Budget (SRB). These funding regimes paid out grant claims in arrears and it was recognised that this caused difficulties for many voluntary and community organisations.

Voluntary organisations receiving loans were required to enter into an agreement with the Authority to secure the repayment of the loan. A charge was taken over the voluntary organisation's premises and other assets. It was also necessary for the voluntary organisation to ensure that its constitution/trust allowed it to enter into such arrangements and the county council ensured that the property and other assets charged were adequate security for the loan. It is fair to say that there was considerable work involved in administering the loan scheme often for what were quite small amounts.

At the end of 2009/10 financial year it was apparent that the situation had changed. The new European programmes no longer make funding available for social and community projects to the same extent. There had not been one single application to the loan fund for five years. In effect the requirement for the loan fund disappeared with the end of SRB and Objective 2 funding. In terms of defaults one organisation went into liquidation but we were paid out by administrators. One loan for £15,000 is still outstanding and we have been pursuing the organisation concerned but without success.”

This report requests delegated powers given to one or more senior offices to assess the applications on a case by case basis. The size of the community projects range from £30k to £130k (Over 3 Yrs) but the claims can be made by the applicant on a monthly or quarterly basis which I suggest are reflected in the loan payment terms, limiting any risk.

To further reduce risk it is suggested applicants should provide:

- The signed grant funding agreement
- Risk assessment of the project (This is part of the grant funding application process)
- Credit checks on organisation and directors (BDC to undertake using existing Experian license)
- Three years accounts for the organisation (Part of the grant funding process)

Without the ability for these organisations to access this type of loan funding the projects developed (Heritage trails, Town signage, etc) simply wouldn't be realised. Unlike other funding, very little private sector leverage is involved in the applications as they are all tourism and heritage focused projects and eligible for 100% intervention rate.

The value of the project to the area will be assessed by the grant funding body, the role of BDC would be to assess the credit worthiness of the applicant and managing the associated risks accordingly.

The volume of this type of request is likely to be low. In the two years the LEADER fund has been open we are only aware of four applications of this type, none of which have reached the final decision making stage (Although one is currently being appraised). Similarly, the DCC scheme which has been withdrawn was originally developed for the SRB programme and hasn't processed a loan fund application in the last five years.

IMPLICATIONS

Financial : A budget is to be created using reserves which will be replenished as the grant payments are received by the applicant.

Legal : Development of the loan agreement and security of the loan against an asset if required.

Human Resources : Resource committed to reviewing application for the loan fund.

RECOMMENDATIONS that

- 1) Delegated authority given to the Director of Resources, in consultation with the Cabinet Member for Regeneration, for authorisation of bridging loan applications based on reviewing the documentation outlined in the report.**
- 2) The Standards Committee and Council be recommended to approve the Director of Resources' delegation for inclusion in the Council's Constitution.**

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

Develop vibrant town centres and flourishing rural communities.

ATTACHMENTS: None

FILE REFERENCE: None

SOURCE DOCUMENT: None

**AGENDA ITEM 5
RECOMMENDED ITEM FROM
AUDIT COMMITTEE – 22ND SEPTEMBER 2010**

366. UPDATE TO TERMS OF REFERENCE

The Director of Resources reported that at the Annual Meeting of Council in May, changes to the membership of Audit Committee Independent Members had been recommended, changing the numbers from 2 to 3 and the Cabinet Member responsible for Audit Committee had also been changed and this was now Councillor A. Hodkin, the Cabinet Member for Resources and that these changes would be reported to Standards Committee for inclusion in the Constitution.

Moved by Councillor H. Gilmour, seconded by J. Hill
RECOMMENDED that the changes to the terms of reference be included in the Constitution.

(Standards Committee/Council)

Committee	Audit Committee	Agenda Item No.:	5.
Date:	22 nd September 2010	Category	
Subject:	Update to Terms of Reference	Status	Open
Report by:	Director of Resources		
Other Officers involved:	Monitoring Officer		
Director	Director of Resources		
Relevant Portfolio Holder	Councillor E. Watts, Leader of the Council		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – to continually improve the efficiency and effectiveness of all Council Services by maximising the potential use of Council resources.

TARGETS

None

VALUE FOR MONEY

None

1. At the Annual meeting of the Council in May 2010 there were some revisions to the content and description of Cabinet Members portfolios.
2. As a consequence of this, some revisions need to be made to the Committees that Council / Executive delegate function to. The Audit Committee is an area of such a change
3. The changes increase the number of independent non elected representatives from 2 to 3 and the Cabinet Member for Performance currently allocated to this committee is changed to the Cabinet Member for Resources
4. The attached report was presented to Council on 8th September and approved.

5. The Standards Committee on 4th November 2010 will consider this matter for approving the change to the Constitution.

IMPLICATIONS

Financial : None.
Legal : None
Human Resources : None

RECOMMENDATION

That the Committee note the change to the terms of reference.

ATTACHMENT: Y – Appendix A
FILE REFERENCE: ***please complete***
SOURCE DOCUMENT: Office of Director of Resources

APPENDIX A

Council/ Committee:	Council	Agenda Item No.:	*
Date:	8 th September 2010	Category	*
Subject:	Change in Audit Committee Membership	Status	Open
Report by:	Director of Resources		
Other Officers involved:	Solicitor to the Council		
Director	Director of Resources		
Relevant Portfolio Holder	This report relates to appointments to a Committee and not Council functions more generally		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

By ensuring that the appropriate Portfolio Holder is a member of the Audit Committee.

TARGETS

None

VALUE FOR MONEY

None

1. At the Annual Meeting in May 2010, Members agreed the membership of the Audit Committee to be as follows:

AUDIT COMMITTEE (3 + 2 Independent non elected representatives)
Chairman: Independent r non elected representative of the Committee
Vice Chairman: to be decided
Cabinet Member for Performance
Chair of Improvement Scrutiny Committee
Leader of the Independent Group

2. This report seeks to revise the Membership.
3. The number of independent non elected representatives is to increase from 2 to 3. This reflects the recent recruitment of new independent members to standards Committee. This provides continuity should plans of the independent Chair of the committee come about and he stand down from 2011. Having 3 non elected representatives on the Audit Committee also gives more resilience generally. If agreed, the Council's Constitution would be altered to reflect this.
4. The Cabinet Member for Performance is currently allocated to this committee.
5. It is proposed to change this to the Cabinet Member for Resources. This then aligns with the Constitution for this Cabinet Member who has responsibility for the Anti Fraud & Corruption Strategy which is considered by this Committee.
6. This change has been discussed with both Cabinet Members and they are in agreement with the change.
7. If agreed the relevant changes to the Council's Constitution would be recommended to Standards Committee for approval.

IMPLICATIONS

Financial : None
 Legal : Constitution to be updated to reflect any changes made.
 Human Resources : None

RECOMMENDATIONS

1. **That the number of independent non elected representatives on the Audit Committee is to increase from 2 to 3 which increases the size of the Audit Committee to 6.**
2. **That the Cabinet Member for Resources replaces the Cabinet Member for Performance on the Audit Committee.**
3. **Standards Committee be recommended to approve the changes to the Constitution.**

ATTACHMENT: N
 FILE REFERENCE:
 SOURCE DOCUMENT:

Committee:	Standards	Agenda Item No.:	7.
Date:	4 th November 2010	Category	*
Subject:	Authorisation of Officers	Status	Open
Report by:	Head of Planning and Environmental Health Head of Regeneration		
Other Officers involved:	Environmental Health Commercial Manager Environmental Health Residential Manager		
Director	Director of Development		
Relevant Portfolio Holder	Councillor D. Kelly, Portfolio Holder for Environment and Climate Change Champion, Councillor A. F. Tomlinson, Portfolio Holder for Regeneration and Access Champion		

RELEVANT CORPORATE AIMS

Community Safety - by taking measures within our renewal work that help to reduce crime and residents fear of crime, arranging for the removal of abandoned vehicles and fly tipping and the collection of stray dogs and dealing with the statutory noise aspect of anti social behaviour.

Customer Focused Services - by responding promptly to all enquiries, complaints and requests for service within target times and delivering services which meet the needs of customers.

Environment - by helping to protect and enhance the environment in the most deprived areas of the district, by monitoring the quality of air, food, water, visits to trade premises, environmental enforcement, responding to complaints and contributing to the Climate Change agenda.

Regeneration - by helping to bring about sustainable improvements in health, housing and environmental conditions in our most deprived areas.

Social Inclusion - by helping to revive local communities through targeted regeneration schemes including working with partners to deliver training and job opportunities.

Strategic Organisational Development - by continuing to seek our customers' views and as a result improving our services and shaping service delivery and also by training and developing staff and ensuring 80% of all our Performance Indicator targets are met.

TARGETS

Environment – contributing to the reduction of the per capita CO2 emissions across Derbyshire by 3% year on year by working with partners to deliver domestic energy efficiency programmes in the District.

Regeneration – contributing to improving the health of the District by raising awareness of food safety amongst 1000 older people through the Food Hygiene and Vulnerable Groups safe project by October 2010, with a view to preventing food poisoning - contributing to securing a decent standard of housing across the District by increasing the number of decent homes occupied by vulnerable people in the private sector to 70% by March, 2011.

Social Inclusion – contributing to the development of skills and learning within communities by assisting to deliver the Raising Aspirations project by March 2012 to raise the aspirations and employability skills of school children and their families, and young people that are not in education, employment or training (NEET) and adults that are economically inactive or unemployed contributing to reducing poverty by developing a Fuel Poverty and Affordable Warmth Strategy by March, 2011 and by engaging with 110 private sector households, provide advice and carry out energy efficiency measures where appropriate to assist at least 36 households out of fuel poverty by March, 2011.

VALUE FOR MONEY – The Authorisation of Officers approval process ensures that staff are competent to undertake their relevant environmental health duties in an efficient and effective manner which minimises the risk of customer complaint and or legal challenge.

THE REPORT

AUTHORISATION OF OFFICERS – ENVIRONMENTAL HEALTH (Commercial and Residential Sections)

Due to changes in staffing and legislation it is necessary to amend the “Authorisation of Officers” document.

The following amendments are necessary:

1. Schedule of Amendments

Add Authorisation Doc 100907 supersedes Authorisation Doc
 091012

2. Schedule A EHOs

Delete O McEaney – Environmental Health Officer

3. Schedule B Technical Support Staff

Add E Raper - Technical Assistant

4. Schedule One – Legislation

Add The Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations 2010
The Official Feed and Food Controls (England) Regulations 2009

Delete Official Feed and Controls (England) Regulations 2007
Products of Animal Origin (Third Country Import) (England) Regulations 2003

5. Schedule Two – Legislation specifics

Under The Food Hygiene (England) Regulations 2006, last paragraph

Delete In the case of O McEaney (Environmental Health Officer) she shall have no powers in respect of Emergency Prohibition Notices, Hygiene Emergency Prohibition Notices, Remedial Action Notices and Detention Notices until she completes 2 years post qualification experience in food safety matters

Under Environmental Protection Act 1990, first bullet point

Delete the words “Authorisations and related documents under Part 1 of the Act and”

Under Environmental Protection Act 1990, third bullet point

Add E Raper

Under Environmental Protection Act 1990, fifth bullet point

Add The Environmental Permitting (England and Wales) Regulations 2010

- In the case of environmental permits and related documents and the authority to serve Notices, the authority shall extend only to:

S Gillott
J W Sherwood
H Rawson
S Bentley

In addition, although the Head of Planning and Environmental Health and the Head of Regeneration are not qualified or practising Environmental Health Officers, it is necessary for them to have the same delegated powers as the Officers listed in Schedule A as if they were practising EHOs. Also both these Officers need to be included as Officers who can serve Notices under the

Environmental Protection Act 1990 and the Head of Planning and Environmental Health needs to be included as an Officer who can issue permits and related documents and serve Notices under the Environmental Permitting (England and Wales) Regulations 2010.

IMPLICATIONS

Financial : None.
Legal : It is a legal requirement that Officers be properly authorised to act on behalf of the Council.
Human Resources : None.

RECOMMENDATIONS that

- 1. the amendments be made**
- 2. the amended document be known as EHSTAFF 100907**
- 3. Council approve the changes for inclusion in the Constitution.**

ATTACHMENT: N
FILE REFERENCE:)
SOURCE DOCUMENT)

Bolsover, Chesterfield and North East Derbyshire District Councils'

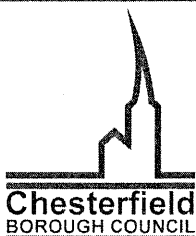
Internal Audit Consortium

Internal Audit Report

Authority:	Bolsover District Council
Subject:	Gifts & Hospitality and Declarations of Personal Interests (Ref BO13)
Date of Issue:	28th September 2010

Report Distribution:	Chief Executive Solicitor to the Council and Monitoring Officer Client Officer – Director of Resources
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North East
Derbyshire
District Council



Bolsover
District Council

INTERNAL AUDIT REPORT

GIFTS & HOSPITALITY AND DECLARATION OF PERSONAL INTERESTS

Introduction

The Internal Audit Consortium has performed an audit of Council guidance in respect of gifts and hospitality, compliance with the guidance and the monitoring procedures in place.

Scope and Objectives

The primary objectives of the review were to: -

- Establish Legal Services' monitoring procedures.
- Determine frequency of monitoring and any action taken.
- Compare gifts and hospitality accepted or rejected to previous year.
- Ensure adequate information is recorded at departmental level.
- Confirm acceptance of gifts and hospitality is approved by a senior officer.
- Confirm submission of returns to the Solicitor/Monitoring Officer.
- Determine how employees and Members are informed of the necessity to record instances of gifts and hospitality accepted or rejected.
- Determine how Members are informed of the necessity to declare personal interests.
- Confirm declarations of interest are being adequately monitored

Conclusion

The conclusion of the audit was that the key controls relating to the above areas were found to be **satisfactory** (minimal risk; a few areas identified where changes would be beneficial)

Findings and Recommendations

Background

1. In many commercial environments it is common practice to offer and accept gifts, hospitality and other benefits. The practice is frequently used to influence decisions when one company is seeking to do business with another and is acceptable within the private sector. However, within the public sector the acceptance of gifts, hospitality and other benefits even on a modest scale may arouse suspicion of impropriety.
2. Legal Services undertake an annual inspection of all gifts and hospitality registers, the results of the inspection can be used by Standards Committee to evaluate changes and improvements to the ethical framework.
3. The annual inspection and the audit review have been based solely on declarations of gifts and hospitality and do not cover any gifts and hospitality which may have been received and not declared.

Monitoring Procedures

4. Inspections by the Solicitor to the Council/Monitoring Officer took place in July 2010 and in August 2009. All departmental gifts and hospitality registers are checked to ensure a register exists, contains up to date guidance and the correct forms and all register entries comply with requirements.
5. Twenty registers were inspected by the Monitoring Officer and all but four were found to comply with guidance. The areas of non compliance were:-
 - Reasons for acceptance/rejection not completed.
 - Entries not signed as approved.
 - Entries not completed fully
6. Where entries did not comply with requirements the registers were returned to departments by the Monitoring Officer with a reminder to complete entries in full.

Approval of gifts or hospitality

7. The gift and hospitality guidance notes kept at the front of each register stipulate a Head of Service's signature must be obtained to show approval. Heads of Service should not authorise their own acceptance. The Chief Executive, a Director or another Head of Service should be asked to authorise.
8. During the course of the audit review registers in seven departments were examined. It was found that three entries in the Leisure register had been signed by the acceptor, not by the Head of Service. Within Environmental Health a gift accepted by the then Head of Service had been approved by a member of staff other than the Chief Executive, a Director or another Head of Service.

Recommendations	
R1	Officers should be reminded of the requirement to obtain authorisation for acceptance from a Head of Service. Priority : High

Comparison of 2009 to 2010

9. The inspection carried out by Legal Services in July 2010 identified 115 register entries in comparison to 35 identified during the previous inspection in August 2009.
10. The increase in the number of register entries has been attributed to an increase in awareness following the gifts and hospitality briefing session held at the depot. Declarations made in Environmental Health and Street Services have increased the most.

Recording at departmental level

11. The nature of gifts and hospitality received is relatively modest with the majority of gifts being diaries and calendars. Other types of gifts received include boxes of chocolates, flowers, meals, stamps and tickets to a darts tournament. An invitation from a supplier to a dinner and comedy night with an approximate value of £20 per person has been accepted by three Housing employees. The reason for acceptance has been given as *'a chance to discuss on-going service provision in an informal atmosphere – introduce team to other parts of Orbis that they normally wouldn't meet'*. The entry has not been authorised.
12. The notes compiled in conjunction with the gifts & hospitality brief held at the depot state:

Special care should be taken if you are offered any gift or hospitality from an existing or possible contractor or agency. Generally no gifts or hospitality should be accepted from contractors employed by the Council. If you feel that in the particular circumstances of the offer, it should be accepted, you must discuss with your Head of Service before acceptance and obtain his/her agreement.

Recommendations

R2	Officers should be reminded that generally no gifts or hospitality should be accepted from contractors employed by the Council. Priority : High
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Communication of policy

13. An annual message is included in the weekly bulletin after the Departmental Gifts and Hospitality Register report has been submitted to Standards Committee. The weekly bulletin is accessible by all employees with computer access. Guidance is also available on the intranet.
14. The briefing session mentioned above conducted by the Monitoring Officer (Solicitor to the Council) was held at the depot, where the majority of employees without computer access are based.
15. Guidelines are included in the Member's Code of Conduct, which each Member must sign up to within twenty eight days of entering office. Members have also received gifts and hospitality training.

Declarations of personal Interests

16. Members no longer declare the receipt of gifts or hospitality in a gifts and hospitality register. With effect from 2008 the receipt of any form of gift/hospitality exceeding £25 in value must be declared on the Member's Register of Interests form and where appropriate in a meeting. A gifts & hospitality registration sheet is completed and

forms part of Members Register of Interests which is available in the public domain for three years.

17. Declarations are monitored as part of the annual inspection. No Member has declared the receipt of gifts and hospitality since May 2007.
18. On entering office Councillors are required to sign up to the Code of Conduct which advises members on the disclosure of personal interests.
19. A Register of Interests form must be completed by all Councillors, the forms must be completed within 28 days of taking office any amendments must be made within 28 days.
20. Declaration of interest training is provided to District Councillors annually and to Parish Councillors every two years. Members are reminded annually of the necessity to complete gifts and hospitality registration sheets.
21. Legal advisors are on hand at all meetings to give Councillors advice. Should a Councillor have a personal interest in a matter being discussed at a meeting they are required to complete a Declaration of Interests form. If the personal interest is prejudicial the Member must leave the meeting.

Acknowledgement

22. The auditor would like to thank the Solicitor to the Council, Legal and Standards Officer and Legal Support Officer for their valued assistance during the completion of the audit.

Internal Audit Report – Implementation Schedule

Report Title: Gifts & Hospitality	Report Date: 28 th September 2010
	Response Due By Date: N/A

Recommendations	Priority (High, Medium, Low)	Agreed	To be Implemented By:		Disagreed	Further Discussion Required	Comments
			Officer	Date			
R1 Officers should be reminded of the requirement to obtain authorisation for acceptance from a Head of Service.	H	yes	STC	15.10 .10			
R2 Officers should be reminded that generally no gifts or hospitality should be accepted from contractors employed by the Council	H	yes	STC	15.10 .10			

Please tick the appropriate response (✓) and give comments for all recommendations not agreed.

Signed Head of Service:	Date:
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Note: Normal expected time scales for implementation of recommendations would be: High Priority – within one month; Medium Priority – within 1 to 3 months; Low Priority- within 3 to 6 months

-----Original Message-----

From: Sarah Sternberg

Agenda Item No. 12

Sent: 13 October 2010 16:20

To: Alan Turner

Cc: Alison Bluff

Subject: Emailing: Stunell - Corrupt councillors will go to court not Standards committees -
Newsroom - Communities and Local Government

Stunell - Corrupt councillors will go to court not Standards committees

Published 20 September 2010

Serious misconduct for personal gain will be a criminal act, while petty local vendettas will no longer get a hearing as the unpopular standards board regime is axed, Communities Minister Andrew Stunell announced today.

Mr Stunell said the top-down regime set up by central government to monitor council conduct had become a vehicle for malicious and frivolous complaints. For example, one authority had to fork out £160,000 after receiving over 170 complaints from the same person. Each one had to be examined, but only three were considered worth investigating and after investigation all were dismissed.

Local Standards Committees investigated 6000 complaints in the first two years - of which over half were judged not worthy of any further action. The Government is axing the entire Standards regime including the central board, which costs over £6 million a year; with investigations of complaints costing thousands of pounds each.

Genuine corruption in local government needs to be rooted out and the new Government is legislating to make serious misconduct a criminal offence dealt with by the courts not committees. Councillors will have to register certain personal interests in a publicly available register.

14/10/2010

Ministers believe these changes will give voters the confidence that councillors who misuse their office will be effectively dealt with. While councillors themselves will have the confidence to get on with their job knowing they won't be plagued by petty allegations.

Public will decide councillors' fates

Under new plans the public will also have greater confidence to challenge poor local services. The Government intends to give the Local Government Ombudsman, the established body for investigating public complaints over the way they have been treated by their council, real teeth. For the first time local authorities will be legally compelled to implement the Ombudsman's findings.

Andrew Stunell said:

"The Standards Board regime ended up fuelling petty complaints and malicious vendettas. Nearly every council had investigations hanging over them - most of which would be dismissed but not before reputations were damaged and taxpayer money was wasted. Frivolous allegations undermined local democracy and discouraged people from running for public office.

"That's why we are axing the unpopular and unelected standards board regime. Instead we will legislate to ensure that if a councillor is corrupt and abuses their office for personal gain they will be dealt with in the criminal courts. If a councillor behaves ineffectively or irresponsibly then it's a matter for the electorate not an unelected quango.

"This Government is freeing councillors from central prescription and top down bureaucracy so they can get on with their job. In the future councillors must expect to be judged at the ballot box by an electorate with real access to their accounts and personal interests in a new transparent era."

Communities Secretary Eric Pickles added:

"The standards board regime became the problem, not the solution. Unsubstantiated and petty allegations, often a storm in a teacup, damaged the reputation and standing of local government, as well as wasting taxpayers' money.

"But by abolishing the failed standards committees we're not letting councillors off the hook. Failure to register or declare an interest, or deliberately seeking to mislead the public about an interest, will become a criminal offence while a newly empowered Local Government Ombudsman will investigate incompetence on behalf

local people."

The Government will also legislate to make it clear that councillors can campaign and vote freely on their issues. Councillors who have been prevented from speaking on the very issues they had been elected on, such as planning matters, will now have the freedom to express their views.

But councillors will have to register certain personal interests in a publicly available register; this could include anything that could reasonably be regarded as likely to influence or affect their actions, conduct when on business for the authority or voting.

The whole Standards Board regime consisting of a centrally prescribed code of conduct, standards committees with the power to suspend councillors and an unelected central body will be axed in the upcoming Localism Bill.

However councillors will have to conform to the highest standards of conduct. At present if a councillor abuses their position for personal gain it may result in a complaint to the local authority's standards committee with the councillor simply having to apologise. New legislation will make failing to register an interest, or deliberately seeking to mislead the public about an interest a criminal offence.

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Media enquiries

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-----Original Message-----

From: AuthorityReturns [mailto:AuthorityReturns@standardsboard.gov.uk]

Sent: 16 August 2010 17:07

To: Sarah Sternberg

Subject: IMPORTANT INFORMATION: Standards for England's monitoring returns CRM:00040472

Dear Ms Sternberg

It has been our normal practice to ask each local authority to complete a quarterly monitoring return to support our role in ensuring the effectiveness of local standards arrangements.

On 18 June 2010 we sent out an email to all monitoring officers explaining that we had decided to postpone the return for the April to June quarter.

This was because we were reviewing our activities and updating our Business Plan in light of the Government's announcement that it intends to bring forward legislation to abolish the Standards Board regime and because we have a reduced budget for this year.

We have concluded this review and monitoring returns are no longer part of our Business Plan activities. This means that there will be no further requests for the submission of quarterly or annual returns. We do not anticipate re-establishing these procedures, unless a specific monitoring need arises in which we have to play a part.

The online questionnaires have been removed from our website and are now inaccessible. However, the information submitted by local authorities is available on request. If any authority wishes to obtain a copy we can provide them with pdf versions of any of the following:

- The standards committee composition details, correct as of the last date of monitoring (31 March 2010)
- Two years of case information, listed in chronological order by date received
- Annual Return 2008/09
- Annual Return 2009/10

Please email your request to authorityreturns@standardsforengland.gov.uk

Aggregated summary statistics of the quarterly return information are still available online at <http://www.standardsforengland.gov.uk/CaseinformationReporting/Localstatistics/>

We will shortly be publishing an online report of the annual return information collected for 2009/10. This includes an introduction to the data, a key figures page, a summary of the findings, and a full list of all the most common responses to each question.

An email announcement will be sent to monitoring officers when the report is published.

We would like to take this opportunity to extend our gratitude to all monitoring officers, and their colleagues, who have submitted quarterly or annual returns over the course of the past two and a half years.

Yours sincerely,

The Monitoring Team

T: 0161 817 5300

F: 0161 817 5499

Standards for England

Fourth Floor, Griffin House, 40 Lever Street, Manchester M1 1BB

www.standardsforengland.gov.uk

Committee:	Standards Committee	Agenda Item No.:	13.
Date:	4 th November 2010	Category	
Subject:	Parish Council Representatives on Standards Committee	Status	Open
Report by:	Deputy Monitoring Officer		
Other Officers involved:	Monitoring Officer		
Director	Solicitor to the Council and Monitoring Officer		
Relevant Portfolio Holder			

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

The Council's Standards Committee plays a vital role in promoting and maintaining the highest standard of conduct by Councillors of Bolsover District Council and the parishes in its areas.

TARGETS

VALUE FOR MONEY

THE REPORT

The Committee currently has a vacancy for a parish council representative.

The Standards Committee (England) Regulations 2008 require a parish council representative's attendance at assessments, reviews and hearings into complaints against Parish Councillors.

Historically the Committee has asked the Derbyshire Association of Local Councillors to nominate parish councillors to sit on the Committee or has balloted parish councillors to elect a representative. Given the uncertainty over the future of the Standards regime it is proposed that in filling this

vacancy the Committee take a more direct approach whilst maintaining the integrity of the selection process.

Of the 14 parishes in the district, 2 (Clowne and Whitwell) currently have parish representatives on the Committee; of the remaining 12 parishes, 3 (Blackwell, Pleasley and Scarcliffe) have previously had parish representatives (or a substitute representative) on the Committee. Of the 9 parishes that remain 5 (Creswell, South Normanton, Bolsover, Tibshelf and Glapwell) have neither District nor Parish representatives on the Committee.

It is proposed that each of the 5 parishes referred to be invited to nominate a representative from amongst their members and that the nominated councillors submit a brief summary of their reasons for seeking the appointment to the Committee. Standards Committee will then recommend the appointment of a representative from those nominated.

ISSUES FOR CONSIDERATION

The statutory and regulatory obligations of the Standards Committee as referred to in the report.

IMPLICATIONS

Financial : None
Legal : As in report
Human Resources : None

RECOMMENDATION(S) that

- 1. the Monitoring Officer seek one nomination from each of the Creswell, South Normanton, Bolsover, Tibshelf and Glapwell Parish Councils for a Councillor to sit as a parish council representative on the Standards Committee.**
- 2. the Committee recommends to Council the appointment of a parish council representative from amongst those nominated.**

ATTACHMENT: N
FILE REFERENCE:
SOURCE DOCUMENT:

**STANDARDS COMMITTEE
AGENDA**

Thursday 4th November 2010 at 1400 hours

Item No.		Page No.(s)
PART 1 – OPEN ITEMS		
1.	To receive apologies for absence, if any.	
2.	Members should declare the existence and nature of any personal or prejudicial interests in respect of:- a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and, if appropriate, withdraw from the meeting at the relevant time.	
3.	Minutes of a meeting held on 3 rd August 2010.	3 to 11
4.	Recommended Item from Executive held on 6 th September 2010 – Community Bridging Loan. Recommendation on page 12.	12 to 15
5.	Recommended Item from Audit Committee held on 22 nd September 2010 – Update to Terms of Reference for Audit Committee. Recommendation on page 16.	16 to 20
6.	Application for dispensations.	To Follow
7.	Authorisation of Officers.	21 to 24
8.	Standards Committee Workplan.	To Follow
9.	Complaints against Members.	To Follow
10.	Internal audit report on gifts and hospitality.	25 to 30
11.	Chair's report on discussions with the three party Leaders.	Verbal
12.	Communities and Local Government Newsroom; Stunnell's letter on future arrangements for failure to declare, and, Standards for England; Quarterly Monitoring Returns.	31 to 34
13.	Parish Council Representatives on Standards Committee.	35 to 36

STANDARDS COMMITTEE WORK PLAN 2010/11

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
1. Annual report to Council by Chairman of Standards Committee		<ul style="list-style-type: none"> 	The Chairman presented the Annual Return sent to Standards for England to the June Council meeting.	<ul style="list-style-type: none"> Done
2. Introduction of new code of conduct.		<ul style="list-style-type: none"> None 	This is expected after the General Election. There is no further news on this. November 2010 – following the coalition Government’s announcements concerning the demise of the standards regime, it is not expected that there will be a new code. This should be withdrawn.	<ul style="list-style-type: none"> Request withdrawal
3. Introduction of system for obtaining feedback on the management of complaints.			November 2010 – following the coalition Government’s announcements concerning the demise of the standards regime, it is considered necessary to complete this. This should be withdrawn.	<ul style="list-style-type: none"> Request withdrawal
4. Review of training needs – District and Parish Councillors	<ul style="list-style-type: none"> District Councillors Parish Councillors Monitoring of attendance 	<ul style="list-style-type: none"> progress reports at each meeting 	<ul style="list-style-type: none"> This is being arranged for June/July. 8 District Cllrs have not yet attended and will be pursued. It is proposed that this year no further training is given to Parish and Town Councillors 	<ul style="list-style-type: none"> Ongoing
5. Code of Conduct induction training for both District and Parish/Town Councillors following May 2011 elections.	<ul style="list-style-type: none"> District Councillors Parish Councillors Monitoring of attendance 	<ul style="list-style-type: none"> progress reports at each meeting 	<ul style="list-style-type: none"> The Member Development Working Group (MDWG) is currently putting this together. It includes a session on the first day on the ethical framework. Members are requested to say what contribution they wish to make to this. 	<ul style="list-style-type: none"> Ongoing
6. Annual Reports -	<ul style="list-style-type: none"> Year end number of complaints against District 	<ul style="list-style-type: none"> 27/4/2011 	The figures are available in the regular report	<ul style="list-style-type: none"> Not yet started

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
	<ul style="list-style-type: none"> and Parish Councillors received by the Standards Board • Gifts and hospitality Registers • RIPA 	<ul style="list-style-type: none"> • 27/4/2011 • 27/4/2011. 	<ul style="list-style-type: none"> • . • . 	
7. Liaison meetings	<ul style="list-style-type: none"> • Meeting of Chairman with District Council's CEO • Meeting of Chairman with each of the 3 political parties' Leaders 	<ul style="list-style-type: none"> • 27/4/2011 • 4/11/2010 	<ul style="list-style-type: none"> • This meeting is due in April 2011. • These have been completed and are to be reported to this meeting. 	<ul style="list-style-type: none"> • Not yet started • DONE
8. Planning probity work	<ul style="list-style-type: none"> • To be determined in 2009/2010 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • I will consult the Development Control Manager as to when he thinks this will be carried out. November 2010 – Do members consider that this should be pursued with the Development Control Manager? 	<ul style="list-style-type: none"> • Not yet started
9. Review of guidance to members involved with the Planning process	<ul style="list-style-type: none"> • To be determined in 2009/2010 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • I will consult the Development Control Manager as to when he thinks this will be carried out. November 2010 – Do members consider that this should be pursued with the Development Control Manager? 	<ul style="list-style-type: none"> • Not yet started
10. Review of Constitution			<p>Members to decide what aspects of the Constitution they wish to be reviewed in addition to the ones transferred from the Standards Committee 2009/2010 Work plan. Members should also be aware that there are proposals for</p>	<ul style="list-style-type: none"> • Ongoing

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
			change from the new Government. Details are awaited. November 2010 – it is expected that the Government will do away with the rigid statutory requirements for the Constitution. However this still leads requirements for some parts of the Constitution including:- the Delegation Scheme, Contracts Standing Orders, Financial regulations, Council Procedure Rules. We await how the Government intends to deal with this.	
	Contracts Standing orders	• 8/3/2011.	• Work is continuing.	• Ongoing
	Financial Regulations review	• .	• The Director of Resources is reviewing Financial Regulations	• Ongoing
	Review of member Job Descriptions	• 8/3/2011.	• Executive members have asked that the full set be provided, including those for Scrutiny members following the introduction of the new Scrutiny arrangements. November 2010 – drafting of additional JDs for Scrutiny Councillors is nearly complete. They will then be going back to Cabinet and MDWG before coming here.	• Ongoing
	Delegation Scheme NEW	• 11/1/2011	• November 2010 – The draft delegation for member of SMT is to go to Cabinet before coming to this Committee in January. The rest of the delegation Scheme is being amended – part has been presented today.	• Ongoing
11. Introduction of new statutory rules on Petitions into the Constitution.	•	• 3 rd August 2010.	• This is on this agenda	• Done

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
12. Development of the Annual Standards Committee work plan for 2011 to 2010	•	•	•	• Not yet started
13. Partnership Governance arrangements and the ethical framework?	• Scoping report	•	•	• Ongoing
14. Monitoring Officer Protocol with the Parish and Town Councils	•	•	• Members are requested to approve withdrawal in view of Government changes	• Request withdrawal
15. Consideration of further publicity required for the Standards Committee and to publicise the work of the Standards Committee.	•	•	• Members are requested to approve withdrawal in view of Government changes	• Request withdrawal
16. Annual consideration of publicity requirements for the Local Assessment of complaints against members procedures	•	•	• Members are requested to approve withdrawal in view of Government changes	• Request withdrawal
17. Review of Constitution User Guide	•	• 3/8/2010	• The Head of Democratic Services is to present this at the first meeting in the new corporate year. It was considered at the meeting on 3/8/2010.	• DONE

November 2010

Complaints to the Standards Board

Year	Number	PC	DC	Review requested	ESO investigation	Monitoring Officer investigation	Hearing	Outstanding
2002	3	2	1		3		2	
2003	10	5	5		5		1	
2004	12	8	4		3	0	0	
2005	6	3*	3		2	0	0	
2006	10	9	1		3	1	0	
2007	3	2	1		0	0	0	
2008 to 8/5/08	2	1	1		0	0	0	
2008 from 8/5/08	9	6	4**	1	2	5		1
2009	17	13	4***	0	2	5		2
2010	6	6	0	0	0	0		1

* 1 complaint was made against an entire Parish Council but this has been shown as one complaint

** 1 complaint was against a councillor as both a Parish and District Councillor.

*** Each of the 4 complaints was against 4 councillors

Average time taken to reach a decision by the LAC

Year	Number of Complaints	average time to LAC decision
2010	6	20

26th October 2010.