

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 8th March 2011 at 1400 hours.

Moved by Councillor A.M. Syrett, seconded by Councillor H. Gilmour
RESOLVED that the meeting be adjourned for ten minutes to allow Members time to read the circulated reports.

PRESENT:-

Independent Members: -

B. Betts, K. Belshaw, A. Gascoyne, J.R. Jaffray, R. Lilley, D.J. Wright and J. Yates.

Members: -

Councillors M.J. Dooley, H. J. Gilmour, V.P. Mills and A.M. Syrett.

Officers:-

S. E. A. Sternberg (Solicitor to the Council and Monitoring Officer), A. Turner (Deputy Monitoring Officer) and A. Bluff (Democratic Services Officer).

J. Yates – In the Chair

909. APOLOGY

An apology for absence was received from J. M. Hill.

910. URGENT ITEMS

There were no urgent items of business to consider.

911. DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
920	Councillor H. J. Gilmour	Personal

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912. MINUTES – 11th JANUARY 2011

Moved by Councillor M. J. Dooley, seconded by Councillor H. J. Gilmour
RESOLVED that the minutes of a meeting held on 11th January 2011 be approved as a correct record.

913. MATTERS ARISING

Minute Number 699 – Localism Bill

The Solicitor to the Council advised the meeting that at Council on 16th February 2011, it had been agreed that Standards Committee would remain in its current format and Council would reconsider the situation in 12 months once the Localism Bill has been enacted.

(Solicitor to the Council / Head of Democratic Services)

914. EXECUTIVE GOVERNANCE ARRANGEMENTS

The Solicitor to the Council presented a report which gave details that Council had decided to move to a new form of Executive Leader and Cabinet model of governance, which is referred to as the “Strong Leader” model. This decision had been made in accordance with legislation, (the Local Government and Improvement in Health Act 2007), and also following consultation.

Committee’s approval was sought whether to recommend to Council that necessary changes to the Constitution, as shown in the Appendix attached to the report, should be approved and published on the web site in accordance with the legislation.

Members asked questions.

Moved by Councillor H. J. Gilmour, seconded by R. Jaffray
RECOMMENDED that the changes to the Constitution as listed in the Appendix be recommended to Council for approval.

(Solicitor to the Council / Head of Democratic Services)

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915. MEMBERS' ROLES AND RESPONSIBILITIES

The Deputy Monitoring Officer presented a report which gave details of a review that had been undertaken of members' job descriptions in Part 5 of the Council's Constitution.

A critical examination of those job descriptions had taken place using similar provisions of other councils nationwide to provide useful comparisons. This would give the relevant members greater clarification of their roles and would provide further information allowing those members to be held to account as part of the democratic process.

Existing roles which had been reviewed were;

- Leader of the Council
- Members of the Executive
- Members of Scrutiny Committees
- Chair of the Council

It was also proposed that the list of job descriptions be expanded and new job descriptions included for the following roles;

- All District Councillors
- Deputy Leader of the Council
- Opposition Leader
- Chair of the Scrutiny Management Board
- Chairs of Planning / Licensing Committees
- Chair of Standards Committee
- Vice-Chairs of all Committees

Committee's approval was sought as to whether to recommend to Council the amended and additional member job descriptions in the Constitution.

Members raised questions and a short discussion took place.

D. Wright referred to item 6 under 'duties and responsibilities' in the Chair of the Council's job description and stated that all members job descriptions, including the Leader's, should state "demand standards" and that there should be uniformity between the job descriptions.

A short discussion took place.

The Deputy Monitoring Officer advised the meeting that he would refer the report back to the author for checking of any further generic points and update Standards Committee at the next meeting.

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Moved by Councillor A. M. Syrett, seconded by D. J. Wright

RESOLVED that the draft roles and responsibilities be approved,

RECOMMENDED that the Constitution be amended to include the new roles and responsibilities as drafted and submitted to Council for approval.

(Solicitor to the Council / Head of Democratic Services)

916. STANDARDS COMMITTEE WORK PLAN

The Solicitor to the Council presented information in relation to the Standards Committee Work plan and advised the meeting of minor changes that had been made.

Moved by J. Yates, seconded by Councillor H.J. Gilmour

RESOLVED that the report be noted.

917. COMPLAINTS AGAINST MEMBERS

The Solicitor to the Council presented information in relation to complaints made against Members. It was noted that no additional complaints had been made since the last meeting.

Moved by J. Yates, seconded by Councillor H.J. Gilmour

RESOLVED that the report be noted.

918. LOCAL GOVERNMENT REGULATION EMAIL AND HOME OFFICE PRESS RELEASE REGARDING RIPA

The Solicitor to the Council presented information in relation to councils' use of RIPA (Regulation of Investigatory Powers Act 2000) for covert surveillance.

The information had been received via email from Local Government Regulation News.

The Deputy Monitoring Officer advised the meeting that investigations into benefit fraud were sometimes carried out jointly with the DWP (Department for

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Work and Pensions) who would apply to the magistrates' court for approval of use of covert surveillance.

Moved and seconded.

RESOLVED that the report be noted.

919. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor M.J. Dooley, seconded by D.J. Wright

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 item of business on the grounds that it may 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.

Councillor Gilmour declared a personal interest in the following item and remained in the meeting.

920. REPORT ON STANDARDS COMMITTEE HEARING EXEMPT PARAGRAPH 5

The Deputy Monitoring Officer presented a report reviewing the proceedings at the Standards Committee Hearing held on 19th November 2010.

Members asked questions and discussion took place.

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

RESOLVED that (1) the report be received,

(2) the content of the report be noted.

The meeting concluded at 1510 hours.