

## **STANDARDS COMMITTEE**

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in Chamber Suite 1, The Arc, Clowne on Tuesday 18<sup>th</sup> June 2013 at 1400 hours.

### **PRESENT:-**

Coopteers:- J. Yates and R. Jaffray.

Independent Members:- S. Wainwright.

Members:-

Councillors M.J. Dooley, A.M. Syrett, D.S. Watson and G.O. Webster.

Officers:-

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

J. Yates in the Chair

### **0099. APOLOGIES**

Apologies for absence were received from Councillors H.J. Gilmour and E. Watts.

### **0100. URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **0101. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **0102. MINUTES – 12<sup>th</sup> FEBRUARY 2013**

#### Minute 868 – Update on Parish and Town Councillors Registration of Disclosable Pecuniary Interests

Committee were advised that three Register of Interest forms were still outstanding - two were vacant posts and 1 was for a Parish Councillor. A reminder had been sent to the clerk of the relevant Parish Council.

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Moved by Councillor G.O. Webster, seconded by Councillor A.M. Syrett  
**RESOLVED** that the minutes of a Standards Committee meeting held on  
12<sup>th</sup> February 2013 be approved as a correct record.

**0103. RECOMMENDED ITEM FROM COUNCIL HELD ON 1<sup>ST</sup> MARCH  
2011; MINUTE NUMBER 867; TO INCLUDE IN THE CHIEF  
EXECUTIVE OFFICER'S DELEGATION PROVISION RELATING TO  
THE STRATEGIC ALLIANCE**

Committee considered a recommended item from Council held on 1<sup>st</sup> March 2011 regarding a change to the Chief Executive Officer's delegation in the Council's Constitution that delegated authority be granted to the Joint Chief Executive Officer authority to progress the Strategic Alliance by taking any action necessary to facilitate it including but not limited to redundancies which may result from the implementation.

Moved by Councillor A. M. Syrett, seconded by Councillor M.J. Dooley  
**RESOLVED** that delegated authority granted to the Joint Chief Executive Officer authority to progress the Strategic Alliance by taking any action necessary to facilitate it including but not limited to redundancies which may result from the implementation be approved.

(Monitoring Officer/Governance Manager/Constitution)

**0104. RECOMMENDED ITEM FROM COUNCIL HELD ON 14<sup>TH</sup>  
NOVEMBER 2012; MINUTE NUMBER 596; TO INCLUDE IN THE  
CHIEF EXECUTIVE OFFICER'S DELEGATION PROVISION  
RELATING TO THE STRATEGIC ALLIANCE**

Committee considered a recommended item from Council held on 14<sup>th</sup> November 2012 regarding a change to the Chief Executive Officer's delegation in the Council's Constitution that delegated powers be granted to the Chief Executive Officer to make secondments in and out of both authorities following consultation with both leaders, deputy leaders and the relevant portfolio holders.

Moved by Councillor A. M. Syrett, seconded by Councillor M.J. Dooley  
**RESOLVED** that delegated powers granted to the Chief Executive Officer to make secondments in and out of both authorities following consultation with both leaders, deputy leaders and the relevant portfolio holders be approved.

(Monitoring Officer/Governance Manager/Constitution)

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**0105. RECOMMENDED ITEM FROM COUNCIL HELD ON 15<sup>TH</sup> FEBRUARY 2013; MINUTE NUMBER 878; MEMBERS ALLOWANCE SCHEME 2012/13; WITH REGARD TO MAKING A CHANGE TO THE SCHEME AND TO INCLUDE IN THE CHIEF EXECUTIVE OFFICER'S DELEGATION PROVISION RELATING TO THE REGULATIONS**

Committee considered a recommended item from Council held on 15<sup>th</sup> February 2013 regarding a change to the Members Allowance Scheme and the Chief Executive Officer's delegation in the Council's Constitution to include in the provision relating to the regulations that the following additional point be added to the Financial Regulations section of Members' Allowance:-

*"Members expense claims submitted more than three months after the expenses were incurred will be paid only with the express approval of the Director of Corporate Resources"*

and the following be added to the Chief Executive Officer's delegation:-

*That the Chief Executive Officer be designated as the "proper officer" for the purpose of the Members' Allowance Scheme Regulations.*

A short discussion took place.

It was agreed that 'three calendar months' be added to the recommendation in relation to Members expense claims.

Moved by Councillor A.M. Syrett, seconded by Councillor D.S. Watson

**RESOLVED** that (1) the amendment to the Members Allowance Scheme in the Council's Constitution that Members expense claims submitted more than three calendar months after the expenses were incurred will be paid only with the express approval of the Director of Corporate Resources be approved,

(2) that the Chief Executive Officer be designated as the "proper officer" for the purpose of the Members' Allowance Scheme Regulations be approved.

(Monitoring Officer/Governance Manager/Constitution)

**0106. RECOMMENDED ITEM FROM EXECUTIVE HELD ON 8<sup>TH</sup> APRIL 2013; MINUTE NUMBER 1104; COMMUNITY RIGHT TO BID; TO INCLUDE IN THE DIRECTOR OF DEVELOPMENT'S DELEGATION PROVISION RELATING TO THE COMMUNITY RIGHT TO BID**

Committee considered a recommended item from Executive held on 8<sup>th</sup> April 2013, regarding a change to the Director of Development's delegation in the Council's Constitution that delegated powers be granted to the Director of Development in consultation with the Leader and Deputy Leader of the Council to make decisions on

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any matter the Council is required to make a decision on in relation to Part 3 Chapter 3 (Assets of Community Involvement) of the Localism Act.

Moved by Councillor G.O. Webster, seconded by Councillor A.M. Syrett

**RECOMMENDED** that Council be recommended to approve the amendment to the delegation scheme, in the Council's Constitution, to include delegated authority for the Director of Development in consultation with the Leader and Deputy Leader of the Council, to make decisions on any matter the Council is required to make a decision on in relation to Part 3 Chapter 3 (Assets of Community Involvement) of the Localism Act.

(Monitoring Officer/Governance Manager)

### 0107. COMPLAINTS AGAINST MEMBERS 2012/13

Committee considered the Complaints against Members information.

It was reported that four complaints were outstanding and three were under investigation.

A short discussion took place.

Moved by Councillor A.M. Syrett, seconded by Councillor M.J. Dooley

**RESOLVED** that the report be noted.

### 0108. STANDARDS COMMITTEE WORK PLAN

Members considered Standard Committee's Work Plan for 2013/14.

A discussion took place regarding a review of the Council's Constitution and membership for the Constitution Working Party meetings.

It was agreed that Councillors Syrett, Webster and Gilmour be nominated as the members on the Constitution Working Party.

It was noted that delegation schemes at North East Derbyshire District Council (NEDDC) were structured differently to Bolsover's. It was further noted that the Governance Manager was looking at a joint report format for NEDDC and BDC.

A short discussion took place.

Moved by Councillor A.M. Syrett, seconded by Councillor M.J. Dooley

**RESOLVED** that (1) the Standards Committee Work Plan for 2013/14 be noted,

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(2) Councillors Syrett, Webster and Gilmour be nominated as the members on the Constitution Working Party.

(Monitoring Officer/Governance Manager)

### 0109. DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT GUIDANCE ON MEMBERS' INTERESTS

A copy of a publication regarding guidance on openness and transparency on personal interests for Members from the Department for Communities and Local Government was circulated to the meeting.

The Monitoring Officer requested that Standards Committee Members let her know if they felt the document would be of value to other Members.

The link to the document was supplied on the agenda.

Moved by Councillor A.M. Syrett, seconded by Councillor M.J. Dooley

**RESOLVED** that the publication regarding guidance on openness and transparency on personal interests for Members be accepted.

### 0110. LOCAL GOVERNMENT ASSOCIATION PLANNING GUIDANCE

A copy of a publication from the Local Government Association (LGA) titled 'Probity in planning for councillors and officers' was circulated to the meeting.

A short discussion took place.

Members agreed that the document be presented to a future Council meeting and that parish councils also be sent a copy of the link to the document.

Moved by Councillor A.M. Syrett, seconded by Councillor M.J. Dooley

**RESOLVED** that (1) the 'Probity in planning for councillors and officers' publication be presented to a future Council meeting,

(2) all parish councils be sent a copy of the link to the document.

(Monitoring Officer)

### 0111. TRAINING SESSION FOR STANDARDS MEMBERS

The Deputy Monitoring Officer circulated two documents to the meeting in relation to Members declarations of interests at meetings and the Members Code of Conduct.

The Declarations of Interest document covered the following points;

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- Why do interests have to be declared?
- What has been replaced?
- What do you have to declare?
  - DPI's
  - Other Interests
  - Significant Other Interests
- What are the 3 classes of Interests?
- What you must do in a meeting
- Dispensations

The Deputy Monitoring Officer took the meeting through both documents.

The meeting was advised that the definition of Members of the Council also applied to co-opted Members.

A short discussion took place.

It was noted that Standards Committee were the first to receive the training on declarations of interest and feedback to the Deputy Monitoring Officer was welcomed.

Future training to Members would come out of the Constitution Working Group when the Constitution work was completed. It was also suggested that the training be carried out at a Council meeting when all Members were present.

The meeting concluded at 1445 hours.