

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Thursday, 13 April 2017 at 1000 hours.

PRESENT:-

Members:- Councillors G Buxton, H J Gilmour, C R Moesby and B Watson.

Mrs R Jaffray in the Chair

Officers:- S E A Sternberg (Monitoring Officer), A Wylie (Deputy Monitoring Officer) and N Calver (Governance Manager).

0905. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Mr Stephen Wainwright, Independent Person.

0906. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0907. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0908. MINUTES OF THE STANDARDS COMMITTEE HELD ON 9 FEBRUARY 2017

Moved by Councillor H J Gilmour and seconded by Councillor C R Moesby.

RESOLVED that the Minutes of the meeting of the Standards Committee held on 9 February 2017 be approved as correct record.

0909. REVIEW OF THE COUNCIL'S CONSTITUTION

Members considered a report of the Assistant Director for Governance and Monitoring Officer confirming all the changes discussed at recent meetings of the Constitution Working Group.

STANDARDS COMMITTEE

Table 1 within the report set out the areas reviewed, whilst Appendix A went in to those areas in detail giving a rationale for each change. Appendix B set out each area of the Constitution in turn with tracked changes.

Members considered the proposed amendments to the Council's Constitution prior to submission as part of the annual review of the Constitution to Council for adoption. Members were happy with the content of the report but requested further consideration in regard to consistency with numbers and a review of the document for typographical errors.

Moved by Councillor B Watson and seconded by Councillor C Moesby.

RESOLVED that:-

- (1) The amendments to the Constitution attached at **Appendix A** be recommended to Council for adoption.
- (2) The areas of focus for the forthcoming 2017/18 review be noted.
- (3) It be recommended to Council that delegated power be given to the Monitoring Officer to make changes to the Constitution arising from any new legislation, administrative errors or conflicts in the interpretation.

0910. COMPLAINTS OF BREACH OF THE CODE OF CONDUCT – 2017

The Standards Committee considered a report of the Assistant Director for Governance and Monitoring Officer which set out details of complaints of Breach of the Code of Conduct for the calendar year commencing January 2017. It was noted that one complaint had been received, which related to a Parish Council, and the Monitoring Officer's decision, in consultation with the Independent Persons, was that no further action should be taken.

Any further complaints that had been received were not applicable under the Code and therefore not reported.

Moved by Councillor C Moesby and seconded by Councillor B Watson.

RESOLVED that the Complaints of Breach of the Code of Conduct 2017 for Bolsover District Council be noted.

0911. WORK PLAN 2016/17

Members considered the Standards Committee Work Plan for 2016/17. The Chair requested for Members to let her know if they wished for any items to be included within her Annual Report to Council.

Moved by Councillor C Moesby and seconded by Councillor B Watson.

RESOLVED that the Work Plan 2016/17 be noted.

STANDARDS COMMITTEE

0912. PROPOSED WORK PLAN FOR 2017/18

The Standards Committee considered the Work Plan for 2017/18, which had been supplied to them in a different format to provide greater clarity. It was noted that the Work Plan indicated that the RIPA Review and the Review of the Member/Officer Protocol would be submitted to their forthcoming meeting on 4 June 2017.

Moved by Councillor C Moesby and seconded by Councillor B Watson.
RESOLVED that the Work Plan be noted.

0913. SUPPLEMENTARY REPORT ON THE DEFINITION OF “EXECUTIVE DECISION” FOR INCLUSION IN THE CONSTITUTION

Members received a supplementary report of the Assistant Director for Governance and Monitoring Officer providing Members with a definition of “Executive Decisions” for inclusion in the Council’s Constitution.

As previously reported to the Constitution Working Group the practice has been to record every Executive Decision on a Delegated Decision form and then publish in accordance with statutory rules. The Constitution Working Group decided that there should be a definition of “Executive Decision” in the Constitution so that decisions outside that definition would not be placed on the website.

The Working Group were content that the financial figure for this should be £50,000. Members considered the wording suggested within the report.

Moved by Councillor B Watson and seconded by Councillor H J Gilmore.

RESOLVED that the following be added to paragraph 4.2.18 to the Access to Information Rules of the Constitution and that the rest of the paragraph is re-numbered accordingly:-

Executive Decision is defined as a decision in connection with the discharge of an Executive function, which will, or is likely to incur expenditure or savings in excess of £50,000 or generate a revenue return/income in excess of £50,000 as a specific consequence of that decision.

The meeting concluded at 1014 hours.