

## **STANDARDS COMMITTEE**

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in the Virtual on Monday, 30 November 2020 at 14:00 hours.

### **PRESENT:-**

Members:-

R. Jaffray in the Chair

Councillors Tricia Clough, David Downes, Andrew Joesbury, Clive Moesby and Deborah Watson.

Officers:- Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Kevin Shillitto (Deputy Monitoring Officer), Victoria Dawson (Head of Housing Management and Enforcement), Lisa Ingram (Legal Team Manager - Contentious Team), Amy Bryan (Senior Governance Officer) and Alison Bluff (Governance Officer).

### **STA27-20/21 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **STA28-20/21 URGENT ITEMS OF BUSINESS**

There was no urgent business to be considered at the meeting.

### **STA29-20/21 DECLARATIONS OF INTEREST**

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations made at the meeting.

### **STA30-20/21 MINUTES**

Moved by Councillor Andrew Joesbury and seconded by Councillor David Downes.

**RESOLVED** - That the minutes of meetings of the Standards Committee held on 28<sup>th</sup> September and 19<sup>th</sup> October 2020 be approved as true and correct records.

### **STA31-20/21 COUNCIL PROCEDURE RULES AND DELEGATION SCHEME (FROM MEETING HELD ON 6TH JULY 2020)**

The Monitoring Officer introduced Kevin Shillitto as a newly appointed Deputy Monitoring Officer and noted that he would be attending future Standards Committee meetings.

The Monitoring Officer presented the report and highlighted that there had been some confusion as to whether the recommendations had been agreed in full at the meeting of the Committee on 6<sup>th</sup> July 2020. Accordingly both the Council Procedure Rules and the Officer Scheme of Delegation had now been brought back to the Standards Committee for approval before submission to Council. The Monitoring Officer noted that there was no change to the report that had been presented at the Committee in July.

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Moved by Councillor Clive Moesby and seconded by Councillor Andrew Joesbury.

**RESOLVED** – That the Council Procedure Rules and the Officer Scheme of Delegation be approved for submission to Council as part of the Constitution Review.

### **STA32-20/21 MEMBER CHAMPIONS**

The Deputy Monitoring Officer presented the report which gave consideration on the role profile to establish Member Champions. He highlighted that the role was not a decision making one but one that facilitated engagement and discussion around a particular area. Following questions on the report the Monitoring Officer confirmed that the role profile (including a list of Member Champions) would go to Council to be agreed and would then be incorporated into the Council's Constitution. She noted that the Champions would be appointed at Council, usually at the Annual Council Meeting. She agreed to share the list of Member Champions with Members before the list was submitted to Council.

Moved by Councillor Clive Moesby and seconded by Councillor Andrew Joesbury.

**RESOLVED** - That the Standards Committee agree the draft role profile and support the submission to Council of the proposal to establish Member Champions as set out in the report.

### **STA33-20/21 REVIEW OF THE COUNCIL'S CONSTITUTION**

Committee considered a report in relation to areas for review within the Council's Constitution.

The following areas had been identified for review at this meeting.

#### a) Union/Employee Consultation Committee Terms of Reference

The Terms of Reference had been reviewed and the only change was required had been to remove reference to the CEO.

Moved by Councillor Clive Moesby and seconded by Councillor David Downes

**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

#### b) Delegation Scheme – Housing Officers

Parts of the Responsibility Functions in relation to delegations to officers referred to delegations to the Head of Housing and Community Safety. This post no longer existed and would be changed to Head of Environmental Health.

Moved by Councillor Tricia Clough and seconded by Councillor Clive Moesby

**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

#### c) Planning Committee Terms of Reference/Scheme of Delegation

This set out the rules for referring an application to Planning Committee for a decision.

Moved by Councillor Andrew Joesbury and seconded by Councillor Tricia Clough.

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**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

d) Local Plan Steering Group – change of title to Local Plan Implementation Advisory Group

This was a name change now that the Local Plan had been adopted by the Council.

Moved by Councillor David Downes and seconded by Councillor Deborah Watson

**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

e) Home Loss Payments – Delegated Decisions

This change was proposed to allow officers to pay Home Loss payments in advance of the scheme being considered by the Council.

Moved by Councillor Clive Moesby and seconded by Councillor David Downes

**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

f) Members Code of Conduct; Mandatory Training – Ethical Governance (Recommendation from CST Scrutiny Review)

This was to extend the mandatory training on the Code of Conduct to at least two sessions in a four year term.

Moved by Councillor Andrew Joesbury and seconded by Councillor Tricia Clough

**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

g) Delegation to the Head of Paid Service to make customers vexatious under the CCC policy.

This was to change the decision maker from SAMT to the Head of Paid Service.

Moved by Councillor Andrew Joesbury and seconded by Councillor David Downes.

**RESOLVED** - That the Committee support the submission of the proposal to Council as part of the next Constitution Review.

**STA34-20/21 QUESTIONNAIRE FROM THE COMMITTEE FOR STANDARDS IN PUBLIC LIFE.**

The Senior Governance Officer presented the report which highlighted the progress to date and the draft responses in relation to the Committee for Standards in Public Life local government ethical standards 15 best practice recommendations.

Moved by Councillor Andrew Joesbury and seconded by Councillor Deborah Watson

**RESOLVED** - That the Committee note the progress to date and the draft responses in relation to the Committee for Standards in Public Life local government ethical standards 15 best practice recommendations questionnaire.

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### **STA35-20/21 PUBLISHING OF COMPLAINTS AGAINST MEMBERS**

The Monitoring Officer introduced the report which provided examples of what would be disclosed to the public in relation to completed complaints against members. She highlighted that Appendix 1 gave examples and Appendix 2 set out suggested formats for publishing the information.

Moved by Councillor David Downes and seconded by Councillor Tricia Clough  
**RESOLVED** - That: -

- (1) The Committee agree the proposed format for publishing Members complaints.
- (2) Parish Councils be informed of the intention to publicise complaint outcomes in accordance with the details set out in the report.
- (3) A quarterly report of anonymised complaints be published in relation to the Group A cases as described in paragraph 1.1 of the report.
- (4) A decision noted be issued as soon as reasonable practicable following a decision in the Group B cases as described in paragraph 1.1 of the report.
- (5) Such notices are published by being place on the Council's website.
- (6) The Monitoring Officer be given delegated authority not to publish in accordance with this report where to do so would breach the law or endanger an individual or where there was some other substantive reason justifying non publication.

### **STA36-20/21 COMPLAINTS UPDATE**

Committee received a verbal update provided by the Monitoring Officer in relation to complaints received against Members.

Fourteen complaints had been received so far in 2020. Eight complaints related to parish councils and six to the district council. Eight had been closed with no further action and six were ongoing.

Moved by Councillor Clive Moesby and seconded by Councillor Andrew Joesbury.  
**RESOLVED** - That the updated be noted.

### **STA37-20/21 WORK PROGRAMME 2020/2021**

Committee considered their work programme for the remainder of the 2020/21 municipal year.

Moved by Councillor Tricia Clough and seconded by Councillor Andrew Joesbury  
**RESOLVED** - That the work programme be noted.

The meeting concluded at 14:45 hours.