

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday, 24 January 2022 at 14:00 hours.

PRESENT:-

Members:-

Councillor R. Jaffray in the Chair

Councillors Clive Moesby (Vice-Chair), David Dixon, David Downes, Graham Parkin and Deborah Watson.

Officers:- Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Lisa Ingram (Legal Team Manager - Contentious Team), Nicola Calver (Governance Manager) and Jim Fieldsend (Interim Monitoring Officer).

STA27-21/22 APOLOGIES FOR ABSENCE

No apologies for absence had been received for this meeting.

STA28-21/22 URGENT ITEMS OF BUSINESS

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

STA29-21/22 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.

STA30-21/22 MINUTES

Moved by Councillor Deborah Watson and seconded by Councillor David Dixon
RESOLVED that the minutes of a meeting of the Standards Committee held on the 8th November 2021 be approved as a true and correct record.

STA31-21/22 REVIEW OF THE COUNCIL'S CONSTITUTION

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

STANDARDS COMMITTEE

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

a) Petitions Scheme

The petitions scheme had been reviewed with one suggested change being put forward for amendment. Details on the amendment were attached to the report at Appendix 1 and an updated scheme with tracked changes was attached at Appendix 2.

In Appendix 2 it was noted that there was an error under 7.1 paragraph 3 where reference was made to Council meetings being held every four weeks. A further question was raised in relation to who can submit a petition, paragraph 7.2 suggested that anyone who lived, studied or worked within the District could submit a petition, but paragraph 7.8 only mentioned residents. It was confirmed that Paragraph 7.8 would be amended to include those who studied and worked in the District to match 7.2.

Concern was raised that 7.2 stated a petition could be submitted regardless of age, the Monitoring Officer advised that further wording would be added for clarity and to allow discretion when accepting a petition.

b) Delegation Scheme

The review of the Delegation Scheme had now progressed and it was proposed for its inclusion within the Constitution.

c) Substitution Scheme

The new proposed Council Procedure Rule 26 was detailed within the report it was suggested that at the forthcoming Annual Meeting several substitutes be nominated to allow for continuity between meetings.

Following a discussion Members of the Committee agreed to discuss this further at the next meeting in March.

d) Planning and Licensing Decisions

It was proposed that Council Procedure Rule 13.2 should no longer apply to applications being heard at either Licensing or Planning Committee.

e) Clarification of Deferment and Adjournment

Clarification was required from the Monitoring Officer and amendments had been made to include Council Procedure Rule 12.11(e) as detailed in the report.

Members were advised that a change had been made to the Constitution by the Monitoring Officer under a Delegated Decision due to a conflict in interpretation this was attached at Appendix 4 for information.

Moved by Councillor David Dixon and seconded by Councillor David Downes

RESOLVED that

- 1) the Monitoring Officer would add further wording to paragraph 7.2 of the petitions scheme for clarity and to allow discretion when accepting a petition
- 2) the delegation scheme be included in the Constitution for approval at Council

STANDARDS COMMITTEE

- 3) the Substitution Scheme be discussed further at the next meeting of Standards
- 4) Council Procedure Rules 13.2 no longer apply to applications being heard at either Licensing or Planning Committee under Council Procedure Rule 24.2
- 5) 12.11(e) be added to the constitution for added clarity on deferment and adjournment.

STA32-21/22 WHISTLEBLOWING POLICY

The Governance Manager presented the Committee with the Whistleblowing Annual Report. The policy was originally a joint policy with North East Derbyshire District Council however, it had now been updated solely for Bolsover District Council.

No substantive changes had been recommended for approval only general housekeeping which was shown in Appendix 1 to the report.

There have been no instances of Whistleblowing to report for the 2021 calendar year.

Moved by Councillor Clive Moesby and seconded by Councillor Deborah Watson

RESOLVED that the Standards Committee:

- 1) agree that the current Whistleblowing Policy was fit for purpose and
- 2) note that no instances of Whistleblowing had been made since the 2021 Annual Review of the Whistleblowing Policy.

STA33-21/22 GIFTS AND HOSPITALITY ANNUAL REPORT

The Governance and Monitoring Officer updated Members on the entries in the Gifts and Hospitality Register during the period of January 2021 to December 2021 which could be found in Appendix 2 to the report.

It was agreed that Councillors and Officers would be reminded that they must complete the Gifts and Hospitality Register within 28 days.

Moved by Councillor David Dixon and seconded by Councillor David Downes

RESOLVED that the Standards Committee note the content of the Gifts and Hospitality Annual Report.

STA34-21/22 COMPLAINTS UPDATE

The Committee was advised that there were currently 6 outstanding complaints which were all related to Parish Councils and none of them were District Council related. All of the complaints were progressing through the correct channels.

Moved by Councillor Clive Moesby and seconded by Councillor David Downes

RESOLVED that the Complaints update be noted.

STA35-21/22 DRAFT PARISH CODE OF CONDUCT

The draft Code of Conduct was enclosed within the reports pack and was based on the one used by the Council and could be adapted further for the use of individual Parish Councils.

STANDARDS COMMITTEE

Parish Councils couldn't be forced to use the policy and could still use their own versions if preferred.

Moved by Councillor Deborah Watson and seconded by Councillor David Downes
RESOLVED that the draft Code of Conduct be circulated to Parish Councils for their consideration.

STA36-21/22 REVIEW OF THE RIPA POLICY

The Annual RIPA review had been undertaken and the policy had been amended to make this a Bolsover only policy. Several changes had been highlighted which included keeping a log of surveillance and the introduction of control measures on the use of social media.

Due to the pandemic RIPA training had fallen slightly behind schedule but steps had already been taken to ensure that this was addressed.

Members discussed the implementation of a corporate social media account to ensure that there was a reduced risk of participating in covert surveillance.

Moved by Councillor Clive Moesby and seconded by Councillor David Downes
RESOLVED that the policy be approved and the changes be noted.

STA37-21/22 WORK PROGRAMME 2021/2022

It was agreed that the Substitution Scheme and an update on RIPA training be added to the agenda for the next meeting.

Thanks were also given to the Monitoring Officer for the work that had been carried out and the Committee wished her well with her new job.

The meeting concluded at 14:45.