

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, 20 September 2021 at 14:00 hours.

PRESENT:-

Members:-

R. Jaffray in the Chair

Councillors Tricia Clough, David Dixon, David Downes and Graham Parkin.

Officers:- Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Kevin Shillitto (Solicitor & Deputy Monitoring Officer), Nicola Calver (Governance Manager), Jo Wilson (Scrutiny and Elections Officer) and Amy Bryan (Senior Governance Officer).

STA9-21/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Clive Moesby and Deborah Watson.

STA10-21/22 URGENT ITEMS OF BUSINESS

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

STA11-21/22 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.

STA12-21/22 MINUTES

Moved by Councillor David Dixon and seconded by Councillor David Downes
RESOLVED that the minutes of a meeting of the Standards Committee held on 5 July 2021 be approved as a true and correct record.

STA13-21/22 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.

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a) Scrutiny Procedure Rules

An update to the scrutiny procedure rules had been drafted following changes to the scrutiny structure in May 2021. An updated Part 4.5 of the Constitution was attached to the report at Appendix 2.

b) Call-in Procedure

It was proposed to add further details and clarity to the process of Call-in. An updated version of the Call-in Procedure was attached to the report at Appendix 3.

c) Budget and Policy Framework

It was proposed to amend section 4.3.8 of the Budget and Policy Framework (Call-in of decision outside the budget and policy framework) so it reflected the changes that were being proposed to the Call-in Procedure. An updated Part 4.3 of the Constitution was circulated at the meeting.

d) Council Procedure Rules

It was proposed to add the following as an extra Council Procedure Rule to permit substitutes for Licensing Committees, Planning Committee and the four Scrutiny Committees:

26.1 Members who are unable to attend a meeting may send another Member in their place to act as a substitute. They substitute will have the same rights as a Member of the Committee they are substituting for. This only applies for Planning Committee, Licensing Committees and the four Scrutiny Committees. Before sitting as a substitute the Member should have received appropriate training for that Committee.

26.2 Members should notify the Governance Manager in advance of the meeting if they will not be present and the name of the Member who will be substituting in their place.

(In line with scrutiny membership rules Executive Members may not act as a substitute on scrutiny committees).

It was noted that there was an intention to appoint named substitutes to both Licensing and Planning Committees at the next Annual Council meeting.

Moved by Councillor David Dixon and seconded by Councillor David Downes

RESOLVED – that the Committee support the submission of proposals a) to d) to Council as part of the next Constitution Review

e) Independent Persons Terms of Office

The Committee on Standards in Public Life had recommended that The Localism Act 2011 should be amended to require that Independent Persons were appointed for a fixed term of two years, renewable once. No change had been made to the legislation following the recommendation. The Committee was being made aware of the recommendation but no change was proposed.

The Council had been appointing its Independent Persons for a period of four years.

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Given the time and expense in recruiting suitable qualified persons it was not proposed to change the current practice at this time.

Moved by Councillor David Downes and seconded by Councillor Tricia Clough

RESOLVED – that the Committee support no change being made to the current arrangements for appointment and terms of office of Independent Persons.

The following changes had been made under delegated authority by the Monitoring Officer and were for the Committee's information.

f) Planning Committee Procedure

A change had been made to clarify that Planning Applications made by all Councillors and Council employees are required to go before Planning Committee.

g) Licensing Committee Terms of Reference

A change had been made to amend the size of Licensing Sub Committee's to be 3 Members (rather than 10), drawn from the membership of the full Committee. This brought the terms of reference into line with licensing legislation.

Moved by Councillor David Downes and seconded by Councillor Tricia Clough

RESOLVED – that the Committee note the changes that had been made to the Constitution under delegated authority.

STA14-21/22 COMPLAINTS UPDATE

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

There were currently eight ongoing complaints; seven regarding Parish Councillors and one regarding a District Councillor.

RESOLVED – that the update be noted.

STA15-21/22 WORK PROGRAMME 2021/2022

Committee considered its work programme for the remainder of the 2021/22 municipal year.

RESOLVED – that the work programme be noted.

The meeting concluded at 14:26 hours.