

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 27 NOVEMBER 2014

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STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 27 NOVEMBER 2014

Present:

Councillor J Austen	Chair
Councillor G Butler	Vice-Chair
Councillor G Baxter MBE	Councillor T Reader
“ S J Ellis	“ Mrs C A Smith
“ S Peters	“ M E Thacker

Parish/Town Council Representatives

Councillor E Mansbridge - Clay Cross Parish Council
Councillor D Ruff - Wingerworth Parish Council

Also Present

Matthew Kane – Deputy Monitoring Officer
Frazer Powell – Senior Governance Officer
Sarah Sternberg – Assistant Director Governance & Monitoring Officer
Debbie Whitehead – Consultation & Community Involvement Co-ordinator

466 Apologies for Absence

There were no apologies for absence submitted to this meeting of Standards Committee.

467 Declarations of Interests

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 of interests by Members at this meeting.

468 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Standards Committee held on 2 October 2014 be approved as a correct record and signed by the Chair.

469 Ethical Standards Survey: Parish/Town Councillors and Clerks Results 2014

The Committee considered Report No ADCSI/5/14/DW/JF of the Assistant Director – Customer Service and Improvement on the Standards Survey for Parish/Town Councillors and clerks.

The report set out the results from the Ethical Standards Survey conducted with Parish/Town Councillors and clerks between April and May 2014. Members also received a presentation from the Consultation and Community Involvement Co-ordinator on the survey results. The Committee had requested that work be undertaken on the standards of conduct being observed by Parish/Town Councillors and to identify any areas where further development may be necessary.

A questionnaire had been sent to all Parish/Town Councillors and clerks in the District. The questionnaires were available in both paper form and electronically by the Survey Monkey system. The results shown were detailed in percentages for consistency throughout the report, however, given the sample size for Parish clerks was very small, care should be taken when considering these statistics.

A summary of the survey information was as follows:-

- For Parish/Town Councillors a total of 254 surveys were circulated, 70 were completed – a response rate of 27.6%;
- For Parish/Town clerks a total of 24 survey forms were sent out, 11 were completed – a response rate of 46%;

The report contained the following appendices:

- Appendix A - Data tables;
- Appendix B - Comparison tables;
- Appendix C - Analysis of open comments;
- Appendix D - Demographic profiles.

During the Committee's consideration of the report the following questions/comments were made by Members:-

- That consideration be given to the District Council preparing a website for Parish/Town Council clerks to use in respect of the District and Parish Liaison Group;
- That the report be the subject of a presentation to the District and Parish Liaison Group meeting on 21 January 2015 and that a copy be circulated to all Parish/Town Councils prior to that meeting to enable them to consider its findings;
- That the District Council offer training/development for Parish/Town Councillors and clerks following the May 2015 elections;

RESOLVED – That the Committee:

- (1) Notes the findings from the Ethical Standards Survey 2014 in respect of Parish/Town Councillors and clerks.
- (2) Requests that the report be the subject of a presentation to the District and Parish Liaison Group meeting on 21 January 2015 so that its findings and implications can be shared with the all Parish/Town Councillors and clerks in the District.
- (3) Requests that the Ethical Standards Survey results be circulated to all Parish/Town Councillors and clerks prior to the 21 January 2015 meeting of the District and Parish Liaison Group so that they have the opportunity to consider the implications of the survey findings.
- (4) Requests that the Assistant Director Governance and Monitoring Officer write to all Parish/Town Councils in the District requesting that given the findings of the Ethical Standards Survey that they give careful consideration to any opportunities for training/development provided by the District Council following the May 2015 elections.
- (5) Requests that the Assistant Director Governance and Monitoring Officer prepare an Action Plan in respect of the Ethical Standards Surveys in respect of District Councillors and officers and Parish/Town Councillors and clerks for consideration at a future meeting of the Committee.
- (6) Requests that the Assistant Director Governance and Monitoring Officer send a letter annually to all Parish/Town clerks reminding them of the requirement to update the disclosure of pecuniary and other interests forms for Parish/Town Councillors.

(Assistant Director – Governance and Monitoring Officer/Governance Team)

470 Applications for Dispensations

The Committee considered Report No ADGMO/31/14/MK/SS of the Assistant Director – Governance and Monitoring Officer.

The purpose of the report was to consider requests for dispensations received from a number of Members to enable them to participate in the consideration of a planning application submitted by the District Council for a change of use of the Council's new offices at Mill Lane, Wingerworth. The application would be considered at Planning Committee in due course.

The Committee was advised that matters which affected a Member's office or vocation were disclosable pecuniary interests and would usually debar Councillors from participating in consideration and voting on those matters. The Council's move to the Mill Lane site would be a pecuniary interest as it could affect future travel expenses/mileage claims submitted by Members.

Given that the matter referred to above could affect all Members it was appropriate that applications for a dispensation be submitted to enable Councillors to consider the application.

Section 33 of the Localism Act 2011 provided that a Council may grant a dispensation in the following circumstances:-

- Where it considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
- Where it considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
- Where it considers that granting the dispensation is in the interests of persons living in the authority's area,
- If it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or
- Where it considers that it is otherwise appropriate to grant a dispensation.

Committee was advised that requests for a dispensation had been made in accordance with the first bullet set out above by the following Members:-

Councillors Mrs P Antcliff, J Austen, B Barnes, G Butler, P Elliott, A Foster, Mrs J Hill, P Hemsley, P A Holmes, C Huckerby, H Laws, T J Moon, D S Oxspring, S Peters, T Reader, C A Smith, S J Ellis (sub), C Hunt (sub), K Savidge (sub), L Stone (sub), J Windle (sub).

Members were informed that in accordance with Section 33(4) of the Localism Act 2011 the provisions in respect of participating and voting on a pecuniary interest did not apply for the purposes of when a Committee was deciding to grant dispensations. Effectively, this meant that all Members of this Committee could participate in the decision relating to the granting of a dispensation without having to declare a pecuniary interest.

RESOLVED –

- (1) That the Committee in accordance with Section 33(1) and (2)(a) of the Localism Act 2011 approves the granting of a dispensation to the following Members in respect of the consideration of a planning application submitted by the District Council relating to the Council's Mill Lane offices Wingerworth when it is considered by Planning Committee in 2015:-

Councillors Mrs P Antcliff, J Austen, G Butler, B Barnes, Mrs J Hill, A Foster, P Elliott, P Hemsley, P Holmes, C Huckerby, H Laws, T J Moon, D S Oxspring, S Peters, C A Smith, T Reader, L Stone together with the following substitutes S J Ellis, C Hunt, K Savidge, and J Windle.

- (2) That the dispensations granted at resolution (1) above be for the period until the end of the current Municipal Year 2014/2015.
- (3) That the Assistant Director Governance and Monitoring Officer be granted a delegated authority following consultation with the Chair of this Committee to grant any further dispensations received from Members in respect of the planning application for a change of use for the Council's new office premises at Mill Lane, Wingerworth and that any dispensations granted under this delegated authority be for the period until the end of the current Municipal Year 2014/2015.

(Assistant Director Governance and Monitoring Officer)

471 Work Programme 2014/2015

The Committee considered Report No ADGMO/32/14/MK/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to update Members on the progress of the Committee's Work Programme 2014/2015, a copy of the Work Programme is attached as **Appendix A** to these Minutes.

The Work Programme 2014/2015 was based on the Committee's functions as approved by Council, the Programme was a working document which was subject to amendments as matters progressed.

RESOLVED – That the content of the Committee's Work Programme 2014/2015 as detailed in **Appendix A** to these Minutes be noted.

(Governance Team)

472 Urgent Business (Public Session)

The Committee noted there was no urgent business to be considered in the public session of this meeting.

STANDARDS COMMITTEE WORK PROGRAMME 2014/15		
Meeting date	Item	Comments
28 May 2014	Transparency International Report on Corruption in Local Government	To recommend the policy to Cabinet
	Whistle-blowing Policy Work Programme	
24 July 2014	Outcome of Election for Co-opted Member	Presentation from the Consultation and Community Involvement Officer 2013/14 statistics for consideration
	Standards Survey	
	Local Government Ombudsman	
	Complaints Update Work Programme	
2 October 2014	Review of Constitution	As requested by Committee in May 2014
	Detailed Report on Standards Survey – District Council Response	
	Six Monthly Report to District and Parish Liaison Group	
	Summary of Complaints 2014	As requested in March 2014

	Work Programme	
27 November 2014	<p>Detailed Report on Standards Survey – Parish Council Response</p> <p>Applications for Dispensation</p> <p>Work Programme</p>	As requested by Committee in May 2014
29 January 2015	<p>Complaints Update</p> <p>Gifts and Hospitality Update</p> <p>RIPA Policy update</p> <p>Work Programme</p>	Details of gifts and hospitality received by members and officers in 2014
26 March 2015	<p>Standards Committee Annual Report including feedback from Independent Persons</p> <p>Review of Independent Person role</p> <p>Outcomes from Committee on Standards in Public Life Survey</p> <p>Work Programme</p>	<p>As requested by Committee in May 2014</p> <p>Dependent on receipt of results.</p>