

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY, 23 SEPTEMBER 2020

Present:

Councillor William Armitage (Chair)
Councillor Pat Kerry (Vice-Chair)

Councillor David Hancock
Councillor Jacqueline Ridgway
Councillor Diana Ruff
Pat Coleman

Councillor Heather Liggett
Councillor Kathy Rouse
Councillor Richard Welton

Councillor Pat Coleman – Parish Council Representative

Also Present:

S Sternberg Joint Head Of Service - Corporate Governance & Monitoring Officer
N Calver Governance Manager
A Bryan PA to Cabinet and Civic Officer

STA/10 Apologies for Absence **/20-21**

Apologies for absence were received from Councillor P Antcliff and Parish Councillor Representative D Skinner.

STA/11 Declarations of Interest **/20-21**

Members are 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 interests declared at the meeting.

STA/12 Minutes of Last Meeting **/20-21**

RESOLVED – That the Minutes of the meeting of the Standards Committee held on 1 July 2020 be approved as a correct record and signed by the Chair.

STA/13 Standards Committee Draft Annual Report **/20-21**

The Governance Manager presented the Standards Committee Annual Report 2019/20, which had been drafted on behalf of the Chair of the Standards Committee, Councillor W Armitage.

The Annual Report outlined the work of the Standards Committee during the previous year and covered the following areas:

- Parish/Town Council Representatives
- Register of Interest Forms
- Complaints received during 2019/20
- Reports of Independent Persons
- Local Government Ombudsman Complaints 2018/19
- Policy and Constitution Review Work
- Guidance and reports considered by the Committee

RESOLVED – That the Annual Report of the Standards Committee be agreed for submission to Council.

(Governance Manager)

**STA/14
/20-21** **Gifts and Hospitality Review 2019**

The Committee considered a report of the Head of Corporate Governance and Monitoring Officer, which advised of the details of all entries in the Council's Gifts and Hospitality Register in respect of offers of gifts and hospitality made to Members and Officers of the District Council during the period January 2019 to December 2019.

The annual reporting of offers of gifts and hospitality made to Members and officers was in accordance with Part 5 of the Council's Constitution, which detailed these arrangements. A copy of the provisions of the Constitution in respect of gifts and hospitality was attached at Appendix 1 and 2 to the report, and details of the entries in the Council's Gifts and Hospitality Register for this period was attached at Appendix 3 to the report.

RESOLVED – That the content of the Annual Report for the period January 2019 to December 2019 in respect of offers of gifts and hospitality made to Members and Officers be noted.

**STA/15
/20-21** **Emergency Delegations**

Further to Minute STA/4/20-21 of the previous meeting, the Committee considered a report of the Head of Corporate Governance and Monitoring Officer, which advised of recent decisions that had been made under the Delegated Power to act in an emergency.

The report stated that the Council's Delegation Scheme granted power to the Head of Corporate Resources & Head of Paid Service to take action he/she considered appropriate in an emergency following consultation with the Leader and/or Deputy Leader. It was a requirement of the delegation that the decisions taken, along with reasons, were reported to a meeting of Council. The report set out the four decisions that had been taken since March 2020, under this delegated power as a result of the Coronavirus Pandemic, which were:

- DD-025-20-SS Emergency delegated powers as a result of Coronavirus lockdown 25th March 2020
- DD-040-20-SS Extension of Emergency delegated powers as a result of Coronavirus lockdown 28th May 2020
- DD-054-20-JD Amendment to the Local Council Tax Support Policy in

- response to Coronavirus Government Guidance 10th July 2020
- DD-061-20-SS Extension of Emergency Delegated Powers as a result of Coronavirus lockdown 31st July 2020

RESOLVED – That the Committee notes the decisions made under emergency delegated powers.

**STA/16
/20-21** **Review of Constitution - Part 2**

The Standards Committee considered a report which set out areas for review within the Council's Constitution for consideration by the Standards Committee prior to submission as part of the review of the Constitution to Council for adoption.

The Committee was asked to give consideration to the following proposals for review outlined in Appendix 1 and 2 to the report.

(a) Contract Procedure Rules

The Committee was asked to consider amendments to the Contract Procedure Rules.

(b) Planning Committee Ward Members

The Committee was asked to consider whether a recent change to the constitution that meant Members of the Planning Committee could not be involved in determining an application in their own ward and whether this change should be rescinded or not.

The Chair of the Committee, Councillor W Armitage, stated that Ward Members could currently vote and remain as part of the Planning Committee for applications within their ward but as part of annual constitution changes that had been agreed at Council in May 2020 it had been changed so that Ward Members could no longer vote on applications in their ward but could speak for or against an application. This change had been suspended pending a full review by the Standards Committee. Councillor W Armitage stated that he understood that this had primarily been introduced from a governance perspective and that Licensing Committee members were not permitted to vote on applications within their ward and that there had been a history of complaints in this regard, although they had not been upheld. On further discussion with Councillors following the change it had appeared that this blanket approach was too strong and there were many instances when Ward Members could vote on applications in their wards without conflict and could add local knowledge. Therefore, Councillor W Armitage proposed to revoke this constitution amendment but with an advisory note to Planning Committee Members that they should not vote on applications in which they had a pre-determined view or a conflict of interest.

Councillor D Hancock, H Liggett and J Ridgway spoke in support of rescinding the change that had been made to constitution so there was no restriction on Ward Members.

Councillor R Welton and D Ruff spoke in support of the change so Ward Members could not vote on applications within their ward.

The Governance Manager explained the rationale behind the change, which was set out in Appendix 1 to the report.

RESOLVED – That the Standards Committee:-

- (1) Approved and submits to Council amendments to the Contract Procedure Rules.
- (2) Recommended to Council the rescinding of the requirement for Members of the Planning Committee not to be involved in determining an application in their own ward.

(Governance Manager)

STA/17 **Complaints Update**
/20-21

The Committee received a verbal update from the Joint Head of Corporate Governance and Monitoring Officer on Member complaints.

It was reported that there were currently nine complaints, one of which was nearing closure. Of these nine complaints, six were in respect of Parish Councillors and 3 in respect of District Councillors.

The Joint Head of Corporate Governance and Monitoring Officer also reported that the Deputy Monitoring Officer had recently taken up a new post within Bolsover District Council and this had resulted in a delay in dealing with Member complaints. The Committee wished to place its thanks on record to Victoria Dawson for her work as Deputy Monitoring Officer.

STA/18 **Work Programme**
/20-21

Members gave consideration to the Work Programme for the Committee for the remainder of the municipal year. Members were reminded that this was a live and changing document and could be adapted to the needs of the Committee.

RESOLVED – That the Work Programme be noted.

STA/19 **Urgent Business (public session)**
/20-21

Members were advised that there was no urgent business to be discussed in the public session at this meeting of the Standards Committee.