

STANDARDS COMMITTEE

14th April 2010

**PRESENT:-**

**District Council Members**

Councillors Harrison and Murray (Conservative Group) and Councillor Mrs. Mead (Labour Group).

**Parish Members**

Mr. R. Buxton (Hatton), Mr. K. Fairbrother (Castle Gresley) and Mr. K. Overton (Willington).

**Independent Members**

Mr. D.R. Williams (Chairman), Mr. P. Dawn (Vice-Chairman), Mr. R. Pearson, Mr. P.B. Purnell and Mrs. K. St. Clair.

SC/41. **MINUTES**

The Open Minutes of the Special Meeting held on 12th February and of the Meeting held on 25th February 2010 were taken as read, approved as true records and signed by the Chairman.

**MATTERS DELEGATED TO COMMITTEE**

SC/42. **STANDARDS FOR ENGLAND ANNUAL RETURN 2010**

The Committee considered suggested responses for the Committee's Annual Return to Standards for England, which was required to be returned by 16th April 2010. Standards for England was committed to sending copies of each authority's return together with a summary of all of them at the aggregate level to the Audit Commission by 21st April 2010 in order that the information could be utilised as part of their organisational "Use of Resources, Key Lines of Enquiry" (KLOE) assessments.

It was suggested that in response to a particular question regarding the relationship between the authority and the County Association of Local Councils in relation to standards, a comment could be included that the Derbyshire Association of Local Councils (DALC) was committed to providing regular training to parish councils and also that two members of the Standards Committee were members of the DALC Executive.

**RESOLVED:-**

***That the suggested responses for the Committee's Annual Return to Standards for England be approved, together with the additional comments outlined above.***

**SC/43. PROCEDURE FOR DEALING WITH REQUESTS FOR DISPENSATIONS**

The Committee considered a proposed procedure to be adopted for dealing with requests for Members and Co-opted Members of an authority to be granted dispensations, when they would otherwise be unable to take part in authority business because of a prejudicial interest, under the Standards Committee (Further Provisions) (England) Regulations 2009.

Members were reminded that the Regulations, which came into force on 15th June 2009, revoked the earlier dispensation regulations and replaced them with new provisions to clarify the rules which applied to Standards Committees when granting dispensations to local authority Members. In order to obtain a dispensation, a Member must submit a written request for a dispensation to his or her authority's Standards Committee and that Committee must conclude that, having regard to the legal criteria and all other circumstances of the case, it was appropriate to grant the dispensation. On receipt of a written application, a meeting of the Standards Committee would be convened to consider the application. The Committee had the discretion to decide if the Member making the request would be allowed to make oral representations to the Committee or whether the application would be dealt with only through written representations. It was proposed that any such request was made by the Member before the Standards Committee considered the application.

A minor amendment was suggested to the wording relating the timing of the submission of the application form to guarantee that the dispensation application was considered in time.

**RESOLVED:-**

***That, subject to the minor amendment outlined above, the procedure for dealing with requests for dispensations attached to the report be approved and adopted.***

**SC/44. ANNUAL REPORT 2009/10**

The Committee considered a copy of the Annual Report of the Committee for 2009/10, which was the sixth Annual Report of the Committee. It had been produced in consultation with the Chairman and Vice-Chairman of the Committee and would be submitted to the Full Council on 20th May 2010.

**RESOLVED:-**

***That the Annual Report of the Committee for 2009/10 be approved and confirmed.***

**SC/45. FUTURE WORKSHOPS**

At the last Meeting of the Committee on 25th February 2010, it had been suggested that the Committee may wish to discuss items from the monthly bulletins issued by Standards for England, along with recent case decisions. On this basis, it was felt that an appropriate forum for such discussions would

be a workshop event, held outside the confines of a formal Committee Meeting intended for the purpose of decision-making.

It was suggested that the first workshop could be held after the conclusion of the next Meeting of the Committee on 15th June 2010.

**RESOLVED:-**

***That the first workshop, as outlined above, be held at the conclusion of the next Meeting of the Committee on 15th June 2010.***

SC/46. **FUTURE MEETINGS 2010/11**

As suggested at the last Meeting of the Committee on 25th February 2010, dates for future Meetings in 2010/11 had now been incorporated into the Council's cycle of meetings for the forthcoming municipal year, as follows:-

Tuesday, 15th June 2010  
Tuesday, 28th September 2010  
Tuesday, 11th January 2011  
Tuesday, 12th April 2011

**RESOLVED:-**

***That the above dates of future Meetings for 2010/11 be noted.***

SC/47. **SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES**

Members were reminded that the Local Assessment regime introduced by The Standards Committee (England) Regulations 2008 relating to the assessment of complaints had been operative since 8th May 2008. A summary of outstanding complaints was attached to the report without naming the complainants and the subject Members.

Regulation 8(5) required a Sub-Committee to produce a summary in writing of its consideration of an allegation or a review of a decision. The written summary must record the main points considered, the conclusions as regards the allegation or review of the decision and the reasons for that conclusion; be prepared having regard to any relevant guidance issued by Standards for England; be available for inspection by members of the public at the offices of the authority for a period of six years beginning with the date of the Meeting; and be given to any parish council of which any Member who was the subject of an allegation referred to in the written summary was a Member.

It was noted that these ongoing reports only referred to any outstanding cases.

**RESOLVED:-**

***That the summary of complaints considered by the Standards Sub-Committees be noted.***

SC/48. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

**RESOLVED:-**

*That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.*

**MINUTES**

*The Exempt Minutes of the Meeting held on 25th February 2010 were duly received.*

**COMPLAINTS TO STANDARDS SUB-COMMITTEES** (Paragraphs Nos. 1 and 2)

*The Committee noted the Decision Notices relating to a Meeting of the Standards Sub-Committee (Initial Assessment) since the last Meeting.*

D.R. WILLIAMS

CHAIRMAN