

Time Commenced – 10.00am

Time Finished – 11.05am

## **STANDARDS COMMITTEE**

**3 DECEMBER 2010**

**Present:** Mr P Sunderland (Chair)  
Mr P McCrea, Mrs C McDowall, Mr P Purnell and Ms  
D Reid. Councillors Jackson and Wood

### **23/10 Apologies for Absence**

Apologies for absence were received from Councillors Hird.

### **24/10 Late Items Introduced by the Chair**

The Chair introduced a late item on the proposed abolition of the Standards Framework.

The Chair observed the death of the former Chair of the Committee, Canon Barry Blowers. The committee held a minutes silence in memory of Canon Blowers.

### **25/10 Declarations of Interest**

There were no declarations of interest.

### **26/10 Minutes**

The minutes of the meeting held on 3 September 2010 were confirmed as a correct record and signed by the Chair subject to the following amendments:

- A. That paragraph 4 of minute 18/10 be amended to read: 'the Nolan report's ten principles of public life.'
- B. That paragraph 2 of minute 20/10 be amended to read: 'Mrs McDowall suggested that since the Council had a Standards Committee before it was a statutory requirement then it could continue to do so after it was not a statutory requirement. The Chair stated that in his discussions with the political group leaders at least two of the groups had pledged their support to continue the Council's standards framework.'
- C. That paragraph three of minute 20/10 be amended to read: 'Mr Purnell expressed concern that this move could reverse ten years of progress.'

### **27/10 Ethical Framework Update Training Feedback**

The Head of Democratic Services informed the Committee that whilst attendance at the training had been poor it was well received by those who did attend. He pointed out that during the current year 25 members, around 50%, had received

some form of ethical framework training as it is included to a degree in training sessions on:

Inducting new members (100% attendance)

Planning Control (Compulsory attendance)

General Licensing (Compulsory attendance)

Members suggested an extended induction programme to give greater emphasis to this element.

**Resolved to note the update.**

## 28/10 Independent Standards Committee Members' Network Report

The Committee received an oral report of Peter Purnell, an independent member of the committee who had chaired the most recent informal Derbyshire Network of Independent Members of Standards Committees. The Monitoring Officer for Derbyshire County Council was present at that meeting. There was a discussion on the future of the Standards Framework with concern expressed on the lack of local accountability if all the work of Standards Committees is lost through abolition. Indications of continuing support were expressed by Chesterfield, North East Derbyshire, Erewash, Amber Valley and Derbyshire Dales. Others are waiting for sight of the Localism Bill.

**Resolved to note the update.**

## 29/10 New Independent Members feedback from their visits to Council and the Planning Control Committee

The committee received an oral report of Peter McCrea, an independent member, on his recent visit the Council and his viewing of Planning Control Committee online. The committee also received an oral report of Peter Purnell, an independent member, on his visit to the Planning Control Committee.

Peter McCrea observed that the Council meeting was 'raw politics.' He also commented that he was not convinced that public questioners got 'anything other than a cautious response.'

Peter Purnell observed that the Planning Control Committee is a meeting that matters to many individuals and members' conduct reflected that and that they observed concerns respectfully.

**Resolved to note the report.**

**Resolved to defer consideration of this item until Standards for England publish the report.**

## 20/10 Beyond the Standards Board

The Committee considered a report of the Chair on the future of the standards framework. The Chair had commissioned this report following a meeting at the Local Government Association on 15 September 2010. The LGA wanted to prepare a view for its members on what should/could follow the current regime. They considered two options; firstly to incorporate the role of Standards within the Audit Committee, secondly to give a greater role to the Local Government Ombudsman. The Chair also tabled a report: 'Abolition' he received on 2 December 2010 outlining Parliamentary Process and Transition arrangements. The paper appeared to recognise that a local arrangement could continue but with no powers to suspend or disqualify. There was discussion on censure and how it would be publicised to enable the 'judgement through the ballot box' to be effective.

The cost of investigations was a major consideration and investigations could be undertaken by peer authorities. A benefit of a local arrangement could be more flexible arrangements for investigation including empowerment to inform members more about the nature of the complaint.

Peter Purnell asked if a wider circulation through Derbyshire were possible to the Independent Member Network and the Monitoring Officer Network.

**Resolved:**

- A. To circulate the Abolition Report to the Independent Member Network and the Monitoring Officer Network; and**
- B. To wait for the publication of the Localism Bill before considering a way forward for Derby.**

## 21/10 Exclusion of the Press and Public

**Resolved to exclude the press and public during consideration of Minutes 45/09 under Regulation 8(6) of the Standards Committee (England) Regulations 2008 and under Section 100(A) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 7(C) of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## 22/10 Summary of Progress with Member Complaints

The Committee considered a report setting out details of the progress and outcome of the Member complaint received so far in the 2010-2011 municipal year.

**Resolved to note the report.**

Chair of the next ensuing meeting

at which these minutes were signed