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**BASSETLAW**

DISTRICT COUNCIL  
NORTH NOTTINGHAMSHIRE

## STANDARDS COMMITTEE

# AGENDA

Meeting to be held in  
Ceres Suite,  
Town Hall, Worksop,  
on  
Monday, 29<sup>th</sup> March 2010  
at  
**5.45 p.m.**

**(Please note time and venue)**

**(Please turn off mobile telephones during meetings - In case of emergency  
Members can be contacted on the Council's mobile telephone)**

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*Bassetlaw - Serving North Nottinghamshire*

District Council Offices, Potter Street, Worksop, Notts. S80 2AH.

# STANDARDS COMMITTEE

**Membership** 2009/2010

**Councillors** Mrs V A Bowles, H. Burton, J. W. Holland, D. R. Pressley,  
M. G. Pugsley, Mrs C Troop

**Independent Members:** Mr. K. Crookes, Mr. G. Law, Mr. R. Lilley, Mrs. D. Madine,  
Mr. P. Meeney and Mr. A. Taberner

**Parish Council Representatives:** Mrs. H. M. Brand, Mr. B. Letherland, Mr. T. Reynolds

**Quorum:** 4 Members

## **Lead Officer for this Meeting**

Mr. D. Yates - Ext. 3703

## **Administrator for this Meeting**

Mrs. J. A. Hamilton - Ext. 3146

# COUNCILLORS' MILEAGE LOG SHEET

## NOTES

### 1. Claiming

All claims **must be made** on a monthly basis, covering **ONE** calendar month at a time, e.g. 1st to 31st January, 1st to 28th February etc.

Please return to your claim to Head of Community Engagement & Performance by the **8th** of the following month. This will ensure that the Finance Department receive it by the 10th to enable payment to be made in that month.

### 2. Full Details of Journey

This column should contain the name of the Committee/type of approved duty.

### 3. Number of Miles Travelled

The distance claimed for mileage should be the shortest and most reasonable journey by road from the place of departure to the point at which the duty is performed and back to the place of departure.

### 4. Name of Official Passengers

Where you carried official passengers on the approved duty, and wish to claim the additional mileage allowance, the names of all official passengers should be entered in this column.



## **STANDARDS COMMITTEE**

**Monday, 29<sup>TH</sup> March 2010**

### **AGENDA**

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS  
(Members' and Officers' attention is drawn to the attached notes and form)
  - (a) Members
  - (b) Officers
3. MINUTES OF THE MEETINGS HELD ON 15<sup>th</sup> FEBRUARY 2010 \* (pages 1 – 4)
4. MINUTES FOR ACTION AND IMPLEMENTATION \* (page 5)
5. OUTSTANDING MINUTES LIST \* (pages 7)

### **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

#### **Key Decisions**

None

#### **Other Decisions**

6. REPORT(S) OF THE CHAIRMAN
  - (a) Chairman's Update †
  - (b) Training at Tamworth†
7. REPORT(S) OF THE MONITORING OFFICER
  - (a) Local Assessment Process †
  - (b) Update on Code of Conduct Complaints – report to follow
8. REPORT(S) OF THE COUNCIL'S SOLICITOR
  - (a) None

#### **Exempt Information Items**

*The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.*

## **SECTION B - ITEMS FOR DISCUSSION IN PRIVATE**

### **Key Decisions**

None

### **Other Decisions**

9. REPORT(S) OF THE MONITORING OFFICER

(a) None

10. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

\* Report attached

† Verbal presentation

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### NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
  2. Copies can be requested by contacting us on 01909-533146 or by e-mail [julie.hamilton@bassetlaw.gov.uk](mailto:julie.hamilton@bassetlaw.gov.uk)
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## DECLARATION OF INTERESTS

### *HOW TO USE THIS FORM*

There are now only two types of Declaration of Interest:

Level 1 – Personal	)	Details can be found in the Councillors Code of Conduct which is contained in the Council's Constitution (a summary is printed below)
Level 2 – Personal and Prejudicial	)	

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** level 1 if you are declaring a personal interest, **or** level 2 if you are declaring a personal and prejudicial interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, PREFERABLY WELL IN ADVANCE of a meeting advice from the Council's Monitoring Officer on INTERESTS.

#### **Personal Interests**

May relate to employment or business interests  
May relate to property interests  
May relate to contents  
May relate to interests in other bodies  
**OR** if a decision on the matter to be discussed:  
**MIGHT REASONABLY BE REGARDED AS AFFECTING (A MEMBER OR OFFICER) TO A GREATER EXTENT THAN OTHER COUNCIL TAX PAYERS, RATEPAYERS OR INHABITANTS OF THE AUTHORITY'S AREA, the well being or financial position of himself, a relative or a friend or any employment, business, interest, etc. of such a person.**

#### **Prejudicial Interests**

A Member with a personal interest ALSO has a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest.  
(Note – there are special provisions which may exclude the above provisions in certain circumstances.)

#### **Action to be Taken – Personal Interests**

Must disclose to the meeting  
- existence of the interest  
- the nature of the interest

#### **Action to be Taken – Personal and Prejudicial Interests**

**Must:-**  
- declare existence and nature  
- withdraw from the room  
- not seek improperly to influence a decision on the matter.  
(Note – there are some exceptions when acting in a scrutiny capacity.)

**STANDARDS COMMITTEE**

**Minutes of the Meeting held on Monday, 15<sup>th</sup> February 2010 at Worksop Town Hall**

**Present:**

Chairman: Mr P Meeney  
Councillors: H Burton, Mrs V A Bowles, J W Holland, M G Pugsley and Mrs C Troop  
Independent Members: Mr G Law, Mr A Taberner  
Parish Council Members: Mr B Letherland, Mr T Reynolds  
Officers in attendance: J Askew, R Theakstone and D Yates

Newly appointed Independent Member Geoffrey Woodman as an observer

**67. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Independent Members Mr K Crookes and Mrs D Madine

**68. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

(a) Members

There were no declarations of interest by members.

(b) Officers

Ros Theakstone declared a Level 2 interest in Item 9B – Review of the December Hearing [personal & prejudicial]

David Yates declared a personal interest in item 8(a) – Code of Conduct Complaints saying that this is an overview of the complaints and that they could not be discussed on an individual basis.

**69. MINUTES OF THE MEETINGS HELD ON 30<sup>th</sup> NOVEMBER 2009**

**RESOLVED** that the minutes of the meetings held on 30<sup>th</sup> November 2009 be approved.

**70. MINUTES FOR ACTION AND IMPLEMENTATION**

**RESOLVED** that the Minutes for Action and Implementation be received.

**71. OUTSTANDING MINUTES LIST**

**RESOLVED** that the Outstanding Minutes List be received.

**72. TRAINING IN TAMWORTH**

Two members of the Standards Committee attended a training Session at Tamworth Borough Council.

**RESOLVED** that feedback on the training be presented to next meeting.

### 73. REVISED CODE

There are additions to be made to the Code of Conduct, however a new Code of Conduct for Members will not be laid down before this Parliamentary session.

**RESOLVED** that it be reported to a future meeting.

### 74. MEETINGS

The existing cycle of meetings is adequate and will continue into the new Municipal Year. As there continues to be a high volume of work for the committee at the moment DMO has provisionally booked a meeting for 19 April 2010 if needed. Future meetings in the committee timetable are scheduled for 29<sup>th</sup> March and 24<sup>th</sup> May 2010.

**RESOLVED** cycle of meetings to continue.

### 75. NEW MEMBER

New member Geoffrey Woodman was introduced to the Committee and subject to Council approval at its meeting on March 4<sup>th</sup> 2010 would be welcomed onto the Committee as an Independent Member.

**RESOLVED** a report be taken to Council 4 March 2010.

### 76. REPORT OF THE MONITORING OFFICER

Agenda Item No 7(a) – Council Complaints Update

MO presented a report to the committee proving details of complaints received by the Council for the Quarter 2 (June – September 2010) and Quarter 3 (October – December 2010). In addition to details of numbers received, types of complaints and responses within Stages 1 and 2 of the Council's process the report also included those complaints submitted to the Local Government Ombudsman (LGO) and subsequent outcomes as reported back to the Chief Executive. MO then gave a briefing on Local Government Ombudsman complaints and the importance of them in relation to the effectiveness of the Council's Complaints procedures and the Committee's constitutional remit. It was considered appropriate that the committee should have full copies of all LGO responses to understand the reasons behind the decision issued to better monitor the effectiveness of the complaints procedure overall, subject to the LGO's approval.

There was a discussion on A1 Housing complaints but these are separate to the Council and dealt with by the A1 Board. A1 report performance to PISC and some information is included in the report.. Standards Committee can have this report as an information item but have no recommendation authority.

**RESOLVED** that responses to all LGO complaints are presented in full before the Standards Committee (subject to LGO approval)

### 77. REPORT OF THE COUNCIL'S SOLICITOR

Agenda Item 8 (a) – Code of Conduct Complaints

CS reported that complaints at this Council on average were being dealt with within 10-12 working days and the national average is 28 days.

The MO, DMO and JA were congratulated on their efficiency in dealing with complaints.

Agenda Item 8(b) – Training – Feedback on Parish Council Events

Two training sessions were held in January for parish councils and their members. The training was well attended with approximately 80 in attendance.

DMO was thanked and commended for the training.

Further training for District Councillors will be organised after the elections.

Geoffrey Woodman left the meeting at this point and a short comfort break was taken.

## 78. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

**RESOLVED** that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agreed that the following items of business involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2, and, therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

### SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

#### Key Decisions

None.

#### Other Decisions

## 79. REPORT(S) OF THE MONITORING OFFICER

### (a) Investigation Report - Laneham

This is a long running investigation where the Assessment Panel recommended mediation. Several dates were organised and in turn cancelled. The last date cancelled on the eve of the mediation with only personal reasons given.

The Committee has two choices continue to mediation or to close complaint.

Councillor Pugsley proposed that in the public interest the case be completed and no further action. Councillor Mrs Troop and Mrs Bowles seconded.

**RESOLVED** that:

1. The report be closed and no further action
2. All agreed.

#### Investigation Report – Beard

This investigation report was circulated to both complainant and subject parish council member requesting comments by 11 January and no comments have been received.

The Committee has two choices to accept closure of complaint or to reject closure of complaint.

Councillor Troop proposed that in the public interest the case be completed and no further action. Terry Reynolds and Brian Letherland seconded.

**RESOLVED** that:

1. The report be closed and no further action

2. All agreed.

Ros Theakstone left the meeting at 7:15 pm

80. REVIEW OF DECEMBER HEARING

Agenda Item 9(b) – Review of December Hearing

As this was the first hearing where the subject member disagreed with the investigators findings the committee had a general discussion on the hearing process with a view to improve where possible.

It was decided to arrange a separate meeting with DMO and three members to discuss

**RESOLVED To report to full committee at a future date**

As there was no other urgent business to be considered, the Chairman closed the meeting.

**MINUTES FOR ACTION AND IMPLEMENTATION SHEET****STANDARDS COMMITTEE**

15/02/10

FROM: Legal Administrator

TO: CS = Council Solicitor  
DMO = Deputy Monitoring Officer  
MO = Monitoring Officer

The following decisions are brought to your attention for action by the appropriate officers within your Service:

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**60. REPORT(S) OF THE DEPUTY MONITORING OFFICER**(a) Members' Allowances**RESOLVED** that:

1. The Standards Committee is not the forum for reporting issues.
2. Any issues be reported to Independent Remuneration Panel

DMO

**61. REPORT(S) OF THE COUNCIL'S SOLICITOR**(b) Revised Criteria

Not included in February meeting.

**RESOLVED** that the criteria be amended.

CS

(c) Training Update

Overview &amp; Scrutiny Training scheduled for January be rearranged.

**RESOLVED** that details of the training sessions be circulated to all members of Standards Committee for them to attend if desired.

CS

**65. REPORT(S) OF THE MONITORING OFFICER**(b) Future Work Programme**RESOLVED** that:

1. Work Programme is to be decided after the elections.

MO



STANDARDS COMMITTEEMonday, 15th February 2010OUTSTANDING MINUTES LIST

Members please note that the updated positions are shown in bold type following each item. (CS = Council's Solicitor; DMO = Deputy Monitoring Officer; MO = Monitoring Officer)

<u>Min. No.</u>	<u>Date</u>	<u>Subject</u>	<u>Decision</u>	<u>Officer Responsible</u>
8(c)	8.6.09	Constitution - Revision	(2) The revised draft Constitution be presented to a special meeting of Standards Committee as part of the consultation process, prior to its submission to full Council on <i>2<sup>nd</sup> March 2010</i> .  Target will not be met.	CS/MO
<b>Report to be presented to a future meeting</b>				
27(f)	14.9.09	Local Settlements – Ombudsman Complaints 2007/08	(2) Further reports, as appropriate, be presented to future meetings of the Standards Committee.  All complaints in detail to be presented to Standards Committee	MO
<b>Report(s) to be presented to future meetings(s)</b>				
27(g)	14.9.09	Review of Membership of the Assessment and Review Sub-Committees	(3) The membership of the Assessment and Review Sub-Committees be reviewed after six months.	CS
<b>Review to be undertaken after elections 2010</b>				
60(a)	30.11.09	Members' Allowances	(3) The control mechanism and guidance to Members be revised in light of the findings, and it be reported back to Standards Committee when these are in place.	DMO
<b>Report to be presented to a future meeting</b>				



**BASSETLAW DISTRICT COUNCIL**

**STANDARDS COMMITTEE**

**29<sup>th</sup> MARCH 2010**

**REPORT OF THE MONITORING OFFICER**

**Code of Conduct Complaints – May 2009 – January 2010**

**Contact: Ros Theakstone  
Ext: 3378**

**1. Public Interest Test**

The author of this report Ros Theakstone has determined that the contents are not of a confidential nature.

**2. Purpose of the Report**

To provide Members of the Committee with an analysis and overview of Code of Conduct complaints received since the start of the Municipal Year in May 2009 to the end of January 2010, representing Quarters 1, 2 and 3.

**3. Background and discussion**

3.1 The Standards Committee has been receiving and assessing Code of Conduct complaints about elected and co-opted members since introduction of the new Local Standards Framework on 8<sup>th</sup> May 2008.

3.2 In it's report to full Council in September 2009 the Standards Committee reported through the Chairman that 15 complaints had been received and considered in 2008/09, a figure that was above the national average for that period of time.

3.3 Appendix 1 provides the detail of complaints received since May 2009. Members will note that a total of 13 complaints have been received within this time period. Members will further note that complaints numbered as 16 and 17 involve 9 and 3 subject members respectively. These have been dealt with as single complaints. Had they been dealt with individually, the total number of complaints recorded would rise to 23.

**4. Implications**

**a) For service users**

It is essential that a consistent, robust complaints handling procedure is in place both to comply with statutory requirements but also to ensure complainants and subject members understand the processes being followed and the role the

Standards Committee undertake.

**b) Strategic and Policy**

None from this report

**c) Financial [10/98]**

There are no direct financial implications arising from this report.

**d) Human Resources**

None from this report

**e) Legal [90/03/10]**

Regulatory and constitutional requirements prescribe procedure to be observed and followed by the Standards Committee.

**f) Community Safety, Equalities, Environmental**

None arising

**g) Key Decision**

None

**5. Options, Risks and Reasons for Recommendations**

The Standards Committee has an obligation to comply with statutory and regulatory procedures and to ensure that Code of Conduct complaints are dealt with accordingly.

**6. Recommendations**

That the Standards Committee notes the content of the report and receives a final report on the yearly figures in the new Municipal Year prior to presenting it's yearly Update Report to full Council.

**Background Papers**

Code of Conduct Complaints Data

**Location**

Legal Service

## CODE OF CONDUCT COMPLAINTS: MAY 2009 – 31 JANUARY 2010

NO	COMPLAINANT	SUBJECT	NOTES ON COMPLAINT	ACTION	OUTCOME	COMMENTS
16	SC	SC x 9	Disrespect/bullying	N/A	Review in part	
17	SC	SC x 3	Disrespect	N/A	Review	
18	SC	SC	Bullying	Referral	N/A	
19	GP	PC	Disrespect	N/A	Closed	
20	GP	PC	Breach Confidential	External Investigation	Pending	
21	GP	PC	Breach Confidential	N/A	Closed	
22	GP	PC	Breach of process	N/A	Closed	
23	PC	DC	Disrespect	N/A	Review	
24	DC	PC	Financial breach	External Investigation	Pending	
25	MO	SC	Disrespect	Referral	Pending Investigation	
26	DMO	SC	Disrespect	Referral	Pending Investigation	
27	GP	PC	P/P interest	Local Investigation	No breach	SC decision awaited
28	GP	PC	Disrespect	Mediation	Pending	SC decision awaited

DC = District Councillor  
 GP = General Public  
 PC = Parish Council/Councillor/Clerk  
 MO = Monitoring Officer  
 CC = County Councillor

SC = Standards Member

Note: there were three complaints which were not referred to Standards Assessment Sub Committee : MO deemed not applicable/appropriate