

Mission Statement

To Improve the Quality of Life
For Those Who Live and Work in The District

28 August 2008

Dear Member

You are hereby summoned to a meeting of the **Standards Committee** to be held in **Committee Room 1**, Civic Centre, Portholme Road, Selby on **Monday 8 September 2008** commencing at **4:00 pm**.

The agenda is set out below.

1. Apologies For Absence And Notice Of Substitution

To receive apologies for absence and notification of substitution.

2. Disclosure of Interest

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Sections 94 and 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

3. Appointment of Chairman

4. Appointment of Vice Chairman

5. Minutes

To confirm as a correct record the minutes of the proceedings of the meeting of the Standards Board held on 21 January 2008 (pages 5 to 8 attached).

6. Chair's Address to the Standards Board

7. Time of Meetings

To determine the start time of meetings for 2008/09

8. Membership

The Monitoring Officer to report that Miss B Potts and Ms H Putman had been appointed as Independent Members of the Committee and that Mr R Parker had been appointed as the second Parish Council representative on the Committee.

9. Appointment of Sub Committees

Assessment Sub Committee - To consist of three members (one councillor, one Parish Council representative and one Independent member) chosen from the membership of the Standards Committee.

Review Sub Committee – To consist of three members (one councillor, one Parish Council representative and one Independent member) chosen from the membership of the Standards Committee

10. Private Session

That in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 1 of Part 1 of Schedule 12(A) of the Act.

11. Reference SBE19177.07 Complaint

Report of the Head of Legal and Democratic Services (pages 9 to 11 attached)

12. Update/Monitoring Report

Report of the Monitoring Officer (pages 12 to 15 attached).

Jonathan Lund
Monitoring Officer
28 August 2008

Disclosure of Interest – Guidance Notes:

- (a) Members are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any item on this agenda, and, if so, of the need to explain the reason(s) why they have any personal or prejudicial interests when making a declaration.
- (b) The Democratic Services Officer or relevant Committee Administrator will be pleased to advise you on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

Dates of Future Meetings of the Standards Board

Date of Meeting	Deadline Date	Distribution Date
13 October 2008	30 September 2008	6 October 2008
5 January 2009	16 December 2008	23 December 2008
30 March 2009	16 March 2009	23 March 2009

Membership of the Standards Board 6 Members

Miss B Potts
Ms H Putman
Councillor C Lunn

Councillor M Davis
Mr J Crossdale
Mr R Parker

Enquiries relating to this agenda, please contact Ken Robinson on:
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Descriptions of Exempt Information

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Qualifications for Exempt Information:

Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under -

- (a) the Companies Act 1985;
 - (b) the Friendly Societies Act 1974;
 - (c) the Friendly Societies Act 1992;
 - (d) the Industrial and Provident Societies Acts 1965 to 1978;
 - (e) the Building Societies Act 1986; or
 - (f) the Charities Act 1993.
9. Information falling within any of the 7 categories listed above is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
 10. Information which;
 - (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Standards Committee held on Monday 21 January 2008, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5:00 pm.

628	Minutes
629	Membership
630	Local Government and Public Involvement in Health Act 2007
631	Sixth Annual Assembly of Standards Committees
632	Orders and Regulations relating to the Conduct of Local Authority Members in England
633	Private Session
634	Current Investigations

Present: Miss B Potts in the Chair

B Crossdale (Parish Council representative) and J Stell (Independent member).

Officials: Head of Service – Legal and Democratic Services, Democratic Services Officer and Committee Administrator

Public: 0

Press: 0

626 **Apologies for Absence**

No apologies for absence were received.

627 **Disclosure of Interest**

None.

628 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Standards Committee held on 24 September 2007 be confirmed as a correct record and be signed by the Chair.

629

Membership

The Head of Service – Legal and Democratic Services reported that Mr B Crossdale had been re-elected as the Parish Council representative on the Committee and that Mr R Parker had been elected as his deputy.

630

Local Government and Public Involvement in Health Act 2007

Members received the report of the Head of Service – Legal and Democratic Services on the main provisions in Part 10 of the Local Government and Public Involvement in Health Act 2007 so far as it related to the work of the Standards Committee. More cases would be dealt with at local level, which could mean an increase in the workload of Standard Committees and Monitoring Officers.

The new local arrangements would include:

- receipt of allegations of a breach of the Code of Conduct;
- the initial assessment of allegations (known as the “local filter”) to determine the appropriate course of action;
- investigation of allegations;
- mediation and other arrangements;
- referral to the Standards Board where appropriate;
- the local determination of the vast majority of complaints; and referring serious matters to the SBE for consideration by the Adjudication Panel for England.

Resolved:

That the report be noted.

631

Sixth Annual Assembly of Standards Committee

Members received the report of the Head of Service – Legal and Democratic Services with a summary of the sessions held at the Sixth Annual Assembly.

Resolved:

That the report be noted.

Orders and Regulations relating to the Conduct of Local Authority Members in England

Members received the report of the Head of Service – Legal and Democratic Services with regard to responding to the Government’s consultation paper.

Part 10 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) provided a revised ethical conduct regime for local government based on the principle of proportionate decision-making on conduct issues by local authorities.

The Members responded to the questions in the consultation paper and the Head of Service – Legal and Democratic Services would report on these to the Policy and Resources Committee and forward them to the DCLG (Department for Communities and Local Government) by Friday 15 February 2008.

Resolved:

- (a) That the Committee agrees with the proposals as set out in questions (1) (3) (4) (5) (6) (7) (8) (9) (12) (13) and (16);**
- (b) That with regard to question (2) the Committee is of the opinion that there should be an adjudication role for the Standards Board;**
- (c) That whilst the Committee supports the proposals set out in question (10) it would wish to see fees set at a level which would recover costs only;**
- (d) The Committee feels it would benefit from joint working with other authorities as proposed in question (11);**
- (e) With regard to question (14) although the Committee had not had recourse to use the existing dispensation regulations it was happy with the new arrangements proposed;**
- (f) The Committee felt that it was the responsibility of Selby District Council to comment on question (15).**

Private Session

That in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during consideration of the following items as there will be a disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 1 of Part 1 of Schedule 12A to the Act.

Current Investigations

The Head of Service – Legal and Democratic Services updated members on the current investigations being undertaken.

Resolved:

That the current investigations outlined by the Head of Service – Legal and Democratic Services be noted.

The meeting closed at 5:40 pm.