

## COUNCIL MEETING

**Venue:** Town Hall, Moorgate  
Street, Rotherham

**Date:** Wednesday, 6 February 2008

**Time:** 2.00 p.m.

### A G E N D A

1. To submit for approval the minutes of the Council Meeting held on 5th December, 2007 - Pages 48A - 56A (Section A)
2. To consider any communication received by the Mayor or the Chief Executive and to pass a resolution or resolutions thereon.
3. To consider any questions from the Public.
4. To receive a report from the Leader and to consider reports, minutes and recommendations of the Cabinet - Pages 112B to 150B (Section B)
5. To receive and consider reports, minutes and recommendations of the Standards Committee - Pages 16C to 19C (Section C)
6. To put questions, if any, to Cabinet Members and Chairmen (or their representatives) under Standing Order No. 7(1) and 7(3).
7. To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police Authority, South Yorkshire Fire and Civil Defence Authority, South Yorkshire Passenger Transport Authority and South Yorkshire Pensions Authority, in accordance with Standing Order No. 7(5).
8. To consider the following motion:-  
  
We propose a two stage process of the 6.9% increase on the Council House Rent over a twelve month period.  
  
We suggest 3% initially with the balance of the increase in the latter part of the year.  
  
Proposer:- Councillor Donaldson                      Second:- Councillor Clarke
9. To consider a Parish Council representative at a meeting of the Standards Committee - report herewith (Pages 1 - 3)
10. To determine any item which the Mayor is of the opinion should be considered as a matter of urgency

**T. C. MUMFORD**

Assistant Chief Executive, Legal and Democratic Services

29th January, 2008

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Council</b>
<b>2.</b>	<b>Date:</b>	<b>6<sup>th</sup> February 2008</b>
<b>3.</b>	<b>Title:</b>	<b>Standards Committee</b>
<b>4.</b>	<b>Programme Area:</b>	<b>Chief Executive's Directorate</b>

**5. Summary**

To appoint a Parish Council representative to the Standards Committee for the purposes of a forthcoming Hearing.

**6. Recommendations**

**That Councillor C. E. Kelsey of Bramley Parish Council be appointed as a Member of the Standards Committee for the purposes of a forthcoming Hearing regarding allegations concerning two Members of Wales Parish Council.**

## **7. Proposals and Details**

Last year a complaint was made to the Standards Board for England that two members of Wales Parish Council were in breach of the Code of Conduct. The matter was referred by an Ethical Standards Officer to the Assistant Chief Executive (Legal and Democratic Services) as Monitoring Officer, for local investigation.

Following the investigation, the Investigating Officer has produced a final report and in view of the report's findings, the Standards Committee is legally obliged to conduct a Hearing.

Where the Standards Committee discharges functions relating to a Parish Council, it is a statutory requirement that the Committee must include at least one member of any of the Parish Councils for which the Borough Council is responsible. Such a Parish Councillor may not also be a member of the Borough Council.

The Standards Committee contains a Parish Councils' representative, Councillor Alan Buckley of Brinsworth Parish Council. However, it has become apparent that Councillor Buckley is related by marriage to one of the two Councillors against whom the allegation has been made. In the interests of fairness and to avoid any appearance of bias, it is felt that he should not participate in the Hearing on this occasion, a view which is endorsed by the Standards Board for England.

Unfortunately, the reserve Parish Member on the Standards Committee has recently resigned as a Parish Councillor. Therefore, in order for this Hearing to take place with a Parish Council representative present as is required, the Council should appoint a Parish Councillor to the Committee for this purpose.

The Yorkshire Local Councils Association were asked to nominate a Parish Councillor and have suggested Councillor C. E. Kelsey of Bramley Parish Council, who is an experienced Parish Councillor and represents South Yorkshire on the Executive of the YLCA.

## **8. Finance**

There are no financial implications arising from this report.

## **9. Risks and Uncertainties**

Unless the Council appoints a Parish Councillor for the purpose, the Standards Committee will be unable to conduct this hearing within a reasonable period.

## **10. Policy and Performance Agenda Implications**

The forthcoming changes to the role of the Standards Committee under the provisions of the Local Government and Public Involvement in Health Act 2007 will require additional Parish Council representation on the Standards Committee. There is a recommendation from the Committee before the Council Meeting today that the number of parish representatives be increased to three. If this recommendation is approved, the YLCA will be asked to conduct an election in order to recommend three Parish Council representatives whom the Council will be asked to appoint to

the Committee. This will enable the Committee to discharge its new functions from April when they are expected to come into force. Such appointments would, however, be too late for the purposes of the present Hearing.

**11. Background Papers and Consultation**

The Standards Board for England have been consulted about the situation and Councillor Kelsey's name has been put forward by the Yorkshire Local Councils Association.

**Contact Name :** Tim Mumford, Assistant Chief Executive (Legal and Democratic Services).  
Tel 3500. e-mail: [tim.mumford@rotherham.gov.uk](mailto:tim.mumford@rotherham.gov.uk)