

**STANDARDS COMMITTEE  
11th December, 2014**

Present:- Gosling (in the Chair); Councillors Finnie, Middleton and Tweed; Parish Councillors D. Bates and J. R. Swann and also independent members Ms. A. Dowdall, Mr. P. Edler, Ms. J. Porter and Ms. C. Saltis.

Also in attendance – independent persons Mr. P. Beavers and Mr. D. Roper-Newman.

Apologies for absence were received from Councillors Pitchley, Sansome and Sims and from Parish Councillor D. Rowley and independent member Mr. I. Daines.

**B13 NEW MEMBERS OF THE STANDARDS COMMITTEE**

Everyone welcomed Ms. Catherine Saltis to her first meeting of the Standards Committee.

**B14 MINUTES OF THE PREVIOUS MEETING HELD ON 11TH SEPTEMBER, 2014**

Resolved:- That the minutes of the previous meeting of the Standards Committee held on 11<sup>th</sup> September, 2014 be approved as a correct record for signature by the Chairman.

**B15 UPDATE FROM THE MONITORING OFFICER ON THE HANDLING OF COMPLAINTS**

Consideration was given to a report, presented by the Monitoring Officer, containing an update of the handling of complaints of breaches of the Code of Conduct. Specific cases referred to were:-

(a) A complaint that a member of the public has been assaulted by a Parish Councillor following the conclusion of an Annual Parish Meeting. A Panel had convened on 20th November, 2014, to hear the complaint. The case had been adjourned after consideration of a number of procedural issues and the hearing is to be rescheduled.

(b) A complaint that a Parish Councillor had disclosed confidential information. The Parish Councillor has been asked for formal comments with regard to this complaint. The Monitoring Officer will later resolve, with advice from the Independent Person, how this matter should proceed.

(c) A complaint that a Borough Councillor had breached the Code of Conduct in a number of ways, including having committed misconduct in public office. The complainants were asked for further details regarding their complaint and this information has not been received. Accordingly the Monitoring Officer proposes to close this file.

(d) A complaint from a member of the public that a Parish Councillor had incorrectly taken the chair at a meeting. After discussion with the Independent Person, this matter was not proceeded with as the Monitoring Officer took the view that the allegation did not reveal a breach of the Code of Conduct.

(e) A complaint that a Parish Councillor had manipulated the start time of a meeting and used the member's position to confer an advantage. The member concerned has provided written details in response to this allegation. The matter has been referred to the Independent Person, to determine the way in which it should proceed.

(f) A complaint that a Parish Councillor has behaved offensively. The Parish Councillor has been asked, for the second time, to provide a written response to enable the Monitoring Officer to consider this matter at a preliminary stage.

(g) A complaint that a Borough Councillor inappropriately failed to exercise his discretion at a meeting. The Monitoring Officer considered that the complaint revealed no breach of the Code of Conduct and the matter has now been closed.

(h) A complaint that a Borough Councillor has acted inappropriately with regard to a commercial concern. This complaint has been referred to the Independent Person, for his consideration. The Independent Person has responded and the Monitoring Officer is making a further enquiry.

(i) A complaint from a member of the public that two Parish Councillors had exhibited poor behaviour at a meeting. After discussion with the Independent Person, this matter has been referred for informal resolution.

(j) A complaint that a Parish Councillor has abused a process. This complaint has been referred to the Independent Person for consideration

(k) A complaint regarding the manner in which filming of a meeting was undertaken by a Parish Councillor. The Monitoring Officer did not investigate the matter as it did not appear to be a breach of the Code of Conduct, but did provide general advice to the Clerk of the Parish Council and the Councillor who had conducted the filming.

The Standards Committee discussed the limited effectiveness of the sanctions available in cases where elected representatives are found to be in breach of the Code of Conduct. The Monitoring Officer was asked to provide a report on this issue at this Committee's next meeting.

Resolved:- (1) That the report be received and its contents be noted.

(2) That the various actions being taken in response to each complaint be noted.

**B16 STANDARDS COMMITTEE HEARING PROCEDURE**

Consideration was given to a report, presented by the Service Manager, containing a suggested procedure to be adopted and used at hearings in respect of the handling of complaints of breaches of the Code of Conduct, dealt with by the Standards Committee and/or by the panels which are drawn from the Committee's membership.

The following issues were highlighted:-

: ensuring there are no delays in the timescale when making the administrative arrangements for a hearing;

: compliance with the rules relating to local authority meetings;

: consistency in the use of the terms 'committee' and 'panel' within the suggested procedure.

Resolved:- (1) That the report be received and its contents noted.

(2) That the procedure, as now submitted, be adopted and used at complaint hearings.

**B17 REQUEST FOR DISPENSATION**

Consideration was given to a request from Maltby Town Councillor M. J. Richardson for a dispensation which will enable him to consider and vote on matters relating to the Maltby Community Bowling Club whenever such matters are under consideration at meetings of the Maltby Town Council. Town Councillor Richardson is the Chairman of the Maltby Community Bowling Club and therefore has a personal interest in that Club's affairs.

Resolved:- That a dispensation be granted to Maltby Town Councillor M. J. Richardson, as now requested.

**B18 STANDARDS COMMITTEE - GOVERNANCE - MOTION AT COUNCIL MEETING**

Members were informed that the UK Independence Party Councillors had submitted a motion to the meeting of the Borough Council, held on Wednesday 10th December, 2014, proposing changes to the governance arrangements and membership of the Standards Committee. Although the motion, as presented, had not been adopted by the Borough Council, these governance arrangements were to be the subject of further consideration by the Council's Self Regulation Select Commission.

It was agreed that the progress of this matter be reported to the next meeting of the Standards Committee.

**B19      DATE AND TIME OF NEXT MEETING**

Resolved:- That the next meeting of the Standards Committee take place at the Town Hall, Rotherham on Thursday, 12<sup>th</sup> March, 2015, commencing at 2.00 p.m.