

HAMBLETON DISTRICT COUNCIL

Report To: Council
26 July 2011

From: Head of Legal Services

Subject: **STANDARDS COMMITTEE ANNUAL REPORT 2010/11**

All Wards
All Scrutiny Committees

1.0 PURPOSE AND BACKGROUND:

1.1 This report presents to Council the Standards Committee's Annual Report for 2010/11. The Chairman of the Committee, Mr John White, will be in attendance to give a short presentation on the report.

2.0 THE ANNUAL REPORT 2010/11:

2.1 Standards for England has indicated that it is good practice for all Standards Committee's to promote their activities and to engage with the Authorities which they serve. With this in mind, the Standards Committee has produced its Annual Report which is attached as an Annex to this report.

2.2 The report sets out the activities undertaken by the Standards Committee during the year 2010/11 and the outcome of specific investigations that it has undertaken.

2.3 The report has been the subject of discussions between the Chairman of the Standards Committee, the Chief Executive of the District Council and the Leader of the District Council. Copies of the report will also be circulated to all Parish Councils in the district.

3.0 RECOMMENDATION:

3.1 It is recommended that Council note the content of the Annual Report.

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Background papers: None

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HAMBLETON DISTRICT COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT 2010/2011

1.0 INTRODUCTION:

1.1 This Annual Report sets out the activities of Hambleton District Council's Standards Committee for 2010/11 and the outcome of its investigations. The Standards Committee is constituted under the Local Government Act 2000 and the Regulations made under the Act. The Committee's functions are to oversee Member probity issues in the district of Hambleton. It has jurisdiction over the Members of Hambleton District Council and the Members of 79 Parish/Town Councils within the district.

1.2 During 2010/11 the Committee was made up as follows:-

Councillor J Coulson (Hambleton District Council)
Councillor Mrs J A Griffiths (Hambleton District Council)
Councillor M Rigby (Hambleton District Council)
Councillor P G Sowray (Hambleton District Council)
Councillor J N Smith (Hambleton District Council)
Mr K Waller (Non-elected Independent Member)
Mr J Ward (Non-elected Independent Member)
Mr J E White (Non-elected Independent Member)
Mr E Dennison (Thornton le Beans Parish Council)
Mr J A Follett (Sandhutton Parish Council)
Mrs J Imeson, OBE (Great Ayton Parish Council)

1.3 The Committee was chaired by Mr K Waller during the year.

1.4 The Committee has a number of Sub-Committees as follows:-

Assessment Sub-Committee – the Sub-Committee considers initial complaints and determines whether they should be investigated.

Review Sub-Committee – this Committee reviews decisions not to investigate a matter.

Consideration and Hearing Sub-Committee – this Sub-Committee considers reports from Investigating Officers and determines whether there has been a breach of the Code and, if so, what sanction to impose.

1.5 The role of the Standards Committee is to provide advice and guidance to Members and Officers of Hambleton District Council and Members of Parish Councils about probity issues. It also has a role in investigating complaints about District and Parish Councillors that they have breached the Member Codes of Conduct for their Authorities.

1.6 The Committee also has a separate role within Hambleton District Council as the last element in Hambleton District Council's Complaints Procedure.

2.0 ACTIVITIES IN 2010/11:

2.1 During 2010/11 the Standards Committee has:-

- published its first Annual Report and circulated this to Parish Councils;
- presented the Annual Report to Full Council;
- arranged for non-elected Members to attend District Council meetings;
- considered a review of Member probity in Hambleton District Council in 2009/10;
- considered a review of Officer probity in Hambleton District Council in 2009/10;
- considered a report on complaints against Hambleton District Council in 2009/10;
- considered a report on Ombudsman complaints involving Hambleton District Council in 2009/10;
- determined eleven complaints about Parish/Town and District Councillors under their Member Codes of Conduct (details in Annex).

2.2 The total number of complaints determined under the Members' Code of Conduct in 2010/11 was eleven, compared with three complaints determined in 2009/10. Although this was an increase there is no evidence of significant problems with probity issues, either across the district or in particular Authorities.

2.3 There were no complaints dealt with by the Standards Committee as part of the Committee's role in Hambleton District Council's Complaints Procedure. This compares with three in 2009/10. The Standards Committee has received a summary of all complaints received by Hambleton District Council during 2010/11 and it is satisfied that there is no trend or significant issue with the handling of complaints with which it needs to become involved.

3.0 PROPOSALS FOR 2011/12:

3.1 The future for the Standards Committee is uncertain in the longer term because of the Government's commitment to remove the requirement for Councils to have such a Committee. However, the current regime is likely to last for most of 2011/12.

3.2 The District Council is likely to decide in mid-2011 whether the Standards Committee will continue in its current form. The Committee has already resolved to support the retention of a Committee responsible for probity and conduct issues.

HAMBLETON DISTRICT COUNCIL STANDARDS COMMITTEE

SUMMARY OF DETERMINATIONS UNDER MEMBER CODES OF CONDUCT

PARISH COUNCILLORS

<u>COUNCILLOR SUBJECT OF COMPLAINT:</u>	<u>PARISH COUNCIL:</u>	<u>NATURE OF COMPLAINT:</u>	<u>DATE DETERMINED:</u>	<u>OUTCOME:</u>
Councillor G Woodhouse	Potto	<ul style="list-style-type: none"> • Failure to declare a personal interest in a planning application. • Failing to treat people with respect. • Preventing access to information. • Using position to improperly confer advantage. • Bias. 	21 April 2010	Complaint not upheld. Informal feedback to Member.
Councillor J M Dundon	Bagby and Balk	Failure to declare an interest in a planning matter and participating in the meeting.	21 April 2010	Complaint upheld. Member to attend training.
Councillor Mrs A Taylor	Bagby and Balk	Failure to declare an interest in a planning matter and participating in the meeting.	21 April 2010	Complaint upheld. Member to attend training.
Councillor S Humphreys	Bagby and Balk	Failure to declare a personal interest in a planning matter and participating in the meeting.	23 September 2010	Complaint not upheld.
Councillor D Fellows	Bagby and Balk	Failure to declare a personal interest in a planning matter and participating in the meeting.	23 September 2010	Complaint not upheld.

Annex

PARISH COUNCILLORS (Contd)

<u>COUNCILLOR SUBJECT OF COMPLAINT:</u>	<u>PARISH COUNCIL:</u>	<u>NATURE OF COMPLAINT:</u>	<u>DATE DETERMINED:</u>	<u>OUTCOME:</u>
Councillor D Ashton	Great and Little Broughton	Failure to treat member of public with respect.	23 September 2010	Alternative action. Conciliation between Member and complainant.
Councillor Mrs M Skilbeck	Great and Little Broughton	Failure to treat member of public with respect.	23 September 2010	Alternative action. Conciliation between Member and complainant.
Councillor S Wilmot	Great and Little Broughton	Failure to treat member of public with respect.	23 September 2010	Alternative action. Conciliation between Member and complainant.
Councillor A W Hall	Northallerton	Failure to treat member of public with respect/bringing office into disrepute.	18 November 2010	Complaint partly upheld in respect of sending inappropriate e-mail about complainant. Censure.
Councillor G Woodhouse	Potto	<ul style="list-style-type: none"> • Failure to treat complainant with respect. • Organised inappropriate action against the complainant. 	18 November 2010	No action to be taken.

DISTRICT COUNCILLORS:

<u>COUNCILLOR SUBJECT OF COMPLAINT:</u>	<u>WARD:</u>	<u>NATURE OF COMPLAINT:</u>	<u>DATE DETERMINED:</u>	<u>OUTCOME:</u>
Councillor A W Hall	Northallerton Central	<ul style="list-style-type: none">• Failure to contact complainant.• Failure to return an item to complainant.	21 April 2010	Complaints not upheld.