

HAMBLETON DISTRICT COUNCIL

Report To: Council
24 July 2012

From: Director of Corporate Services

Subject: **STANDARDS COMMITTEE ANNUAL REPORT 2011/12**

All Wards
All Scrutiny Committees

1.0 PURPOSE AND BACKGROUND:

1.1 This report presents to Council the Standards Committee's Annual Report for 2011/12. 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 2011/12:

2.1 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 2011/12 and the outcome of specific investigations that it has undertaken.

3.0 RECOMMENDATION:

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

MARTYN RICHARDS

Background papers: None

Author ref: JMR

Contact: Martyn Richards
Director of Corporate Services
Direct Line No: (01609) 767010

HAMBLETON DISTRICT COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT 2011/2012

1.0 INTRODUCTION:

1.1 This Annual Report sets out the activities of Hambleton District Council's Standards Committee for 2011/12 and the outcome of its investigations. The Standards Committee was constituted under the Local Government Act 2000 and the Regulations made under the Act. The Committee's functions were 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 2011/12 the Committee was made up as follows:-

Councillor J Coulson (Hambleton District Council)
Councillor B Griffiths (Hambleton District Council)
Councillor M Rigby (Hambleton District Council)
Councillor P G Sowray (Hambleton District Council)
Councillor C Les (Hambleton District Council)
Mr B Ferguson (Non-elected Independent Member)
Mr R C Pennington (Non-elected Independent Member)
Mr J E White (Non-elected Independent Member)
Mr E Dennison (Thornton le Beans Parish Council)
Ms C Artingstoll (Sutton-under-Whitestonecliffe Parish Council)
Mrs J Crampton (Scruton Parish Council)

1.3 The Committee was chaired by Mr J E White 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 was 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 2011/12:

2.1 During 2011/12 the Standards Committee has:-

- published its second Annual Report and circulated this to Parish Councils;
- presented the Annual Report to Full Council;
- considered a review of Member probity in Hambleton District Council in 2010/11;
- considered a review of Officer probity in Hambleton District Council in 2010/11;
- considered a report on complaints against Hambleton District Council in 2010/11;
- considered a report on Ombudsman complaints involving Hambleton District Council in 2010/11;
- determined eleven complaints about Parish/Town and District Councillors under their Member Codes of Conduct (details in Annex).

2.1 The total number of complaints determined under the Members' Code of Conduct in 2011/12 was eleven, compared with twelve complaints determined in 2010/11. Overall, there is no evidence of significant problems with probity issues, either across the district or in particular Authorities. Seven of the complaints related to aspects of the proposal to develop land at Sowerby Gateway, near Thirsk. Although two of these revealed breaches of the Code there were no significant issues arising out of this.

2.2 There was one complaint dealt with by the Standards Committee as part of the Committee's role in Hambleton District Council's Complaints Procedure. This compares with none in 2010/11. The Standards Committee has received a summary of all complaints received by Hambleton District Council during 2011/12 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 THE FUTURE:

3.1 Following the enactment of the Localism Act 2011 changes to the Standards regime have been implemented. There will no longer be a stand-alone Standards Committee and the Committee's responsibilities have been transferred to the Audit, Governance and Standards Committee. That Committee will have to decide whether it wishes to publish an Annual Report in the future.

HAMBLETON DISTRICT COUNCIL STANDARDS COMMITTEE
SUMMARY OF DETERMINATIONS UNDER MEMBER CODES OF CONDUCT

TOWN/PARISH COUNCILLORS

	<u>NATURE OF COMPLAINT:</u>	<u>DATE DETERMINED:</u>	<u>OUTCOME:</u>
1.	<ul style="list-style-type: none"> • Failing to treat a person with respect. • Bringing his office into disrepute. 	19 October 2011	Complaint not upheld.
2.	Failure to register interests within required timescales.	19 March 2012	Complaint upheld.
3.	<ul style="list-style-type: none"> • Failure to declare an interest in a planning matter and participating in the meeting. • Using position in an inappropriate manner. • Failing to treat people with respect. 	19 March 2012	Complaint not upheld.

DISTRICT COUNCILLORS:

	<u>NATURE OF COMPLAINT:</u>	<u>DATE DETERMINED:</u>	<u>OUTCOME:</u>
1.	<ul style="list-style-type: none"> • Failure to disclose an interest in a planning matter. • Using position to obtain advantage for a third party. 	7 April 2011	Complaints not upheld.
2.	Failure to disclose prejudicial interest and attendance at meeting.	1 November 2011	<ul style="list-style-type: none"> • Complaint upheld. • Censure.
3.	Failure to disclose prejudicial interest and attendance at meeting.	21 December 2011	Complaint not upheld.

DISTRICT COUNCILLORS (Contd)

	<u>NATURE OF COMPLAINT:</u>	<u>DATE DETERMINED:</u>	<u>OUTCOME:</u>
4.	Failure to disclose prejudicial interest and attendance at meeting.	21 December 2011	<ul style="list-style-type: none">• Complaint upheld.• No further action.
5.	Failure to disclose prejudicial interest and attendance at meeting.	19 March 2012.	Complaint not upheld.
6.	Failure to disclose prejudicial interest and attendance at meeting.	19 March 2012.	Complaint not upheld.
7.	Failure to disclose prejudicial interest and attendance at meeting.	19 March 2012.	Complaint not upheld.
8.	Failure to disclose prejudicial interest and attendance at meeting.	19 March 2012.	Complaint not upheld.