

PUBLIC

MINUTES of a meeting of the **STANDARDS COMMITTEE** held on 31 October 2018 at County Hall, Matlock

PRESENT

Councillor C Short (in the Chair)

Councillors K Buttery, J Coyle, L Grooby, C Moesby, J Perkins (substitute Member), and D Taylor (substitute Member)

Also in attendance – Messrs K Jackson-Horner and L Newby MBE (Independent Persons)

Apologies for absence were received on behalf of Councillors A Fox, W Major and D McGregor

08/18 RESIGNATION OF PETER SMITH INDEPENDENT MEMBER

The Chairman reported that Peter Smith, an Independent Member of the Committee had resigned. It was agreed that a letter of thanks be sent to Peter for the work he had undertaken as a member of the Committee.

09/18 MINUTES RESOLVED that the minutes of the meeting of the Standards Committee held on 4 July 2018 be confirmed as a correct record and signed by the Chairman.

10/18 GRANTING OF DISPENSATION The Director of Legal Services and Monitoring Officer presented a report which asked the Committee to note that the Chairman of Standards committee, following consultation with the Monitoring Officer had granted a dispensation to all Members of Derbyshire County Council to ensure that a debate could take place in respect of a Council motion on the subject of corporate parenting and council tax, that had been presented to full Council at its meeting on 12 September 2018.

The Council had 44 out of 64 members who were dual hatted as they also had district or borough council roles in addition to their County Council role, and as a result they could be deemed to be conflicted and thus unable to participate in the debate on the motion. Given the significant numbers of members involved, this could have impacted on the quoracy of the meeting.

RESOLVED to note the granting of a dispensation to all Members of Derbyshire County Council for the purposes of ensuring a debate could take place in respect of a Council motion presented to full Council on 12 September 2018.

11/18 GOVERNANCE ARRANGEMENTS – UPDATE ON THE CONSTITUTION The Director of Legal Services and Monitoring Officer gave a detailed presentation in relation to the current review of Governance Arrangements and the refresh of the Council's constitution.

The review would include all the Articles in the Constitution, the terms of reference of committees, financial and contract rules, committee management and report writing, the Constitutional timetable and the Member Code of Conduct and Development. It was also proposed to develop a public user guide on the Constitution.

RESOLVED (1) to note the presentation;

(2) that the Director of Legal Services provide a progress report to the next meeting.

12/18 TERMS OF REFERENCE FOR STANDARDS COMMITTEE As part of the current review of the constitution, the Committee were asked to consider and review the Committee's current terms of reference.

RESOLVED (1) that the relevant officers be tasked with reviewing the Committee's current terms of reference and the amended version be circulated to Members of the Committee for comments.

13/18 CONSULTATION ON UPDATING THE DISQUALIFICATION CRITERIA FOR COUNCILLORS AND MAYORS: GOVERNMENT RESPONSE TO CONSULTATION The Director of Legal Services and Monitoring Officer presented a report that requested the Committee to note that the Government's response to consultation in respect of the disqualification criteria for Councillors and Mayors had now been issued.

The consultation period had taken place between September 2017 and December 2017, and the Government response had been issued in October 2018.

During the consultation period, the Minister for Local Government had hosted a consultation exercise which had sought views in respect of proposals that would review the disqualification criteria for Councillors and Mayors.

The consultation responses meant that in the event that they become law, roles of Councils would be strengthened and any person who was subject to an Anti-Social Behaviour Injunction, a Criminal Behaviour Order, a Sexual Risk Order or who was on the Sex Offenders' Register would no longer be able to stand for elected office. Anyone convicted of a serious offence which resulted in a sentence covered under the new disqualification criteria would be banned

from standing for election, or would be forced to step down if they were convicted whilst in post.

The proposals would require primary legislation in order to be enforced and the Government was yet to publish a date as to when this may occur.

RESOLVED to note that the Government's response to consultation in respect of the disqualification criteria for Councillors and Mayors had now been issued.