



## **Report to Standards Committee**

**Date: 10 March 2006**

### **Report of Head of Legal and Democratic Services**

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#### **1. Parish Council Meetings**

As previously reported, the programmed meetings with the Borough's Parish Councils are now largely completed.

The Minutes of the meetings are attached at **Appendix 1**.

#### **Recommended**

Members of the Committee are asked to evaluate the process and outcomes of the meetings.

#### **2. Membership of the Committee**

The Chairman having indicated a wish to resign from the Committee, it is now expedient to consider the process that may be necessary for the recruitment to the Standards Committee. The process is prescribed and inter alia requires that a public advertisement be placed for applicants for appointment.

#### **Recommended**

That the Committee consider the preferred approach to recruitment of Independent Members.

#### **3. Training**

Members of the Standards Committee are likely to be more closely concerned with the Investigation and adjudication of complaints in the future and it is, therefore, considered that the Independent Members, in particular, would benefit from an opportunity to improve their appreciation of the structures and processes of the Council.

#### **Recommended**

It is therefore recommended that the Members of the Committee consider how they would wish to ensure that such opportunities are made available.

#### **4. Role of the Chairman**

The Standards Committee is chaired by an Independent Member, who unlike the Chairman of every other Committee of the Council, is therefore, not able

to take part in meetings of the full Council when the Minutes of their Committee are presented.

The Deputy Chairman of the Committee is, of course, an elected member and therefore able to participate in full Council to represent the Committee's views.

### **Recommendation**

Members are asked to consider whether they would wish to request Council to amend its constitution to permit the Independent Member Chairman to sit at full Council.

**NOTES OF A MEETING BETWEEN  
THE STANDARDS COMMITTEE  
AND  
BURTON JOYCE PARISH COUNCIL  
FRIDAY, 25 NOVEMBER 2005**

**Present:**     **Burton Joyce Parish Council**  
Mrs Linda West - Parish Clerk  
David Davis - Chairman Burton Joyce Parish Council  
William Randall - Burton Joyce Parish Council Member

**Gedling Borough Council**  
John Bagguley - Standards Committee  
Councillor John Boot - Standards Committee  
Anita Bradley - Deputy Monitoring Officer

**Code of Conduct**

The Parish Members were aware of the Code and they had not experienced any problems with the Code of Conduct. The present Chairman had been in position for 7 years and during that time there had been no problems in the Parish Council with regard to Members' conduct.

No issues had arisen over the declarations of interest. Business was conducted by consensus.

If the Council did experience any problems they would seek advice from the Borough Council and NALC.

Council Members had been advised of the need to keep their Register of Interests up to date.

There is one vacancy on the Council at the moment and the turnover is usually about one member per year, so inductions can be dealt with on a one to one basis.

**Standards Committee**

The Parish Council are aware that the Borough Council's Standards Committee has responsibilities for the Parish and was satisfied that they had sufficiently close working arrangement with the Standards Committee.

The Members of the Parish Council felt that they could use the Borough Council as a source of advice on legal and procedural issues as and when needed and gave the example of the recent election in 2005, which was the Parish Council's first ever election. They were happy with the support they received from officers at the Council - particularly David Graham.

The main issue which the Parish Council had with the Borough Council was the consideration of planning matters.

### **Complaints**

There was no formal complaints procedure. If complaints arose they would be dealt with at that point at the Parish Council meeting in the public forum.

### **Communication**

Burton Joyce Parish Council was described as comprising 11 “straightforward citizens” with the interests of Burton Joyce at heart and was not run on political lines. The Parish Notice Boards was kept up to date and a short report of meetings was placed in the Parish Magazine produced by the Church. Minutes of the meetings were also available in the local library. The Parish Council did not yet have a website.

### **Standing Orders/Financial Regulations**

The Council had adopted the NALC models. The Parish Council benefited from the fact that the Chairman was, by profession, an accountant. The Parish Council employed one full-time groundsman and four part-time groundsmen. The Parish Council had a budget in excess of £100,000.

### **Training and Other Parish Council Issues**

The Parish Council took its health and safety responsibilities very seriously and Members of the Council had attended risk assessment courses and had looked at all their different areas of responsibility including an audit on the graveyard. The play area is inspected each year by ROSPA.

The Parish Council was happy with the polling station at the Methodist Church, which was central to the village and had good access.

The building and maintenance of the sports pavilion was the most major project for Burton Joyce and there was a separate Committee for the sports ground which reported back to the Parish Council.

The Parish Council expressed their interest in being included in any training undertaken by the Planning Committee at Gedling Borough Council to enable the Parish Councillors to have a wider understanding of planning matters and to respond to consultation in an informed way.

In addition, the Parish Clerk would be interested in receiving any further information on cemeteries with regard to maintenance of headstones and duties relating to cemeteries. Any information or training in relation to financial procedures would also be of interest to the Parish Council.

**NOTES OF A MEETING  
BETWEEN  
THE STANDARDS COMMITTEE  
AND  
CALVERTON PARISH COUNCIL**

**19 AUGUST 2005**

**Present:**     **Calverton Parish Council**  
Parish Councillor Grant Withers - Chairman  
Jane Stone - Parish Clerk

**Gedling Borough Council**  
John Lesquereux - Chairman Standards Committee  
Councillor John Boot - Standards Committee  
Sue Sale - Monitoring Officer

**Code**

The Parish Council representatives confirmed that the Parish Council had adopted the Code of Conduct and felt that the Parish Councillors had a good understanding of its provisions. In the event that a prejudicial interest was declared the member involved would leave the meeting.

There was a declaration of personal interest 1 or 2 times per meeting.

The Parish members felt that the new Code of Conduct was less clear than the previous requirements for the declaration of interests.

**New Members**

The induction of new members was done after the Parish elections. The Parish had not needed to co-opt members for some years so all the new members arrived at the same time. The induction process included the provision of copies of the Standing Orders, Financial Regulations and Code of Conduct for new members.

**Difficulties with the Code**

1.     Duty to report breaches of the Code

The members were aware of the duty. The Chairman felt that this was a matter left to individual members' conscience.

2.     Dual-Hatted Members

The Parish members were discomforted by the requirement to withdraw from meetings where they were members of another authority in circumstances where the member had made their position clear at Parish level.

In particular, the members found it difficult to explain to the public their apparent unwillingness to represent their declared view.

## **Training**

The Parish Council were happy with the training provided by the Borough Council. They were also made aware of training provided by NALC which was available to their members.

It was usual for the Clerk to undertake training and then pass on the salient points to members.

The Clerk was relatively new to the role and had found that there was no general introducing training available. It was agreed that the Borough Council would consider what assistance might be available.

## **Relationship with the Borough Council**

Most of the contact with the Borough Council had been with the Direct Services Department through the works contracts carried out by the Borough. When other enquiries had arisen, no problems had been encountered in dealing with the Borough. It was felt that the relationship was good.

## **Complaints Procedure**

A procedure was adopted but was rarely required.

## **Communication**

The Parish published their minutes in the local paper and made them available in the local library.

They did not have a dedicated Parish news sheet.

## **Other Issues**

Standing Orders - the Parish had used the SLCC toolkit and individualised the model provided.

Financial Procedures - these were in place and worked successfully. The Council controls the budget and the Clerk manages it.

Equal Opportunities - no problems.

Respect for Others - some robust behaviour but felt to be within limits.

Use of Resources - no problems.

Confidentiality - almost all Parish business was conducted in public. The exception would be staffing issues eg appointment of Parish Clerk.

Gifts and Hospitality - not an issue.

Register of Interests - no difficulties had been encountered in getting these completed.

**NOTES OF A MEETING BETWEEN  
THE STANDARDS COMMITTEE  
AND  
LINBY PARISH COUNCIL  
MONDAY 12 SEPTEMBER 2005**

**Present:**     **Linby Parish Council**  
John Chisholm – Parish Clerk  
Bob Brothwell – Chairman Linby Parish Council

**Gedling Borough Council**  
John Bagguley – Standards Committee  
Councillor Chris Pratt – Standards Committee  
Sue Sale – Monitoring Officer

**CODE OF CONDUCT**

The code has been explained to Parish members in detail. Up to about 8 years ago there had been problems in the Parish Council but these had been resolved.

Linby is a small close community and no issues have arisen over the declaration of interests. The Council has only one co-opted member and the Chairman inducted that member personally including an explanation of the code.

The Council has no dual hatted members so conflict does not arise, though Borough and County Members often attend meetings.

**STANDARDS COMMITTEE**

The Parish Council are aware that the Borough Council Standards Committee has responsibilities for the Parish but don't feel the need for any particularly closer working relationship. The Borough Council is used a source of advice on legal and procedural issues as and when needed.

**COMPLAINTS**

There is no formal complaints procedure but complaints received are given a public airing at the Parish Council meeting. Complaints received are not about the work of the Parish Council.

**COMMUNICATION**

Linby has been assessed as a "vibrant" village and the Parish members adopt a hands on approach to getting work done.

The Parish notice boards are kept up to date and an account of meetings is published in the Hucknall Despatch.



The Chairman is the spokesman for the Council,

### **STANDING ORDERS/FINANCIAL REGULATIONS**

The Council has adopted the NALC models with local variations.

### **TRAINING**

The Parish has no employees other than the Clerk and no contracts.

The evidence from other parishes in that legislation such as the Freedom of Information Act could be a serious burden since the Parish Clerk's hours are restricted, but to date they have not had any problems.

There is no immediate training requirement although if the Parish were to expand some assistance may be required.

**NOTES OF A MEETING BETWEEN  
THE STANDARDS COMMITTEE  
AND  
NEWSTEAD PARISH COUNCIL  
WEDNESDAY 9 SEPTEMBER 2005**

**Present:**     **Linby Parish Council**  
John Chisholm – Clerk, Newstead Parish Council  
Tricia Wise – Chairman Newstead Parish Council

**Gedling Borough Council**  
John Bagguley – Standards Committee  
Councillor Chris Pratt – Standards Committee  
Sue Sale – Monitoring Officer

**CODE OF CONDUCT**

The Parish did not have any difficulties with the application of the Code. They feel that if their business was conducted with common sense and courtesy this largely militated against the code transgressions.

The Council took advice from the Clerk where necessary on declarations of interest although declarations were rarely required.

The Parish has no dual hatted members; Borough and County Councillors were always invited to meetings and provided with a copy of the minutes.

Meetings were well attended by the public and the Parish works closely with the two resident associations to build community sustainability.

**STANDARDS COMMITTEE**

The Parish Council were aware of the resource available to it at the Borough Council but had not felt the need to access this.

**COMPLAINTS**

Complaints were dealt with on an adhoc basis and mostly concerned the Parish land holdings, particularly the management of the cemetery. Complaints were dealt with in the public meeting. The Council had a 20 minute slot in each meeting where Standing Orders were suspended giving the public the opportunity to debate issues with the members. Complaints were given a full airing in this time.

**STANDING ORDERS/FINANCIAL REGULATIONS**

The Council had adopted the models from NALC/SLCC and amended these to suit the Parish Council.

## **TRAINING**

Little formal training had been received but the members were mutually supportive. They would like to consider further training on the code.

The Clerk was the only employee so issues of employment, equal opportunities etc had not been an issue for them.

The Council and Clerk sought assistance from the Borough Council with any difficulties and were happy with the response received.