
Subject: **INFORMAL RESOLUTION OF CASES SC0101, 0102 & 0103**

Meeting and Date: **Standards Committee – 23 January 2013**

Report of: **David Randall, Monitoring Officer**

Classification: **Unrestricted**

Purpose of the report: The Dover District Council – Kent Code of Conduct for Members Appendix 2, Annex 2 – Para 6.4 requires the outcome of Informal Resolution to be reported to the Standards Committee for information.

Recommendation: To note the report.

1. Main Report

1.1 The Monitoring Officer in consultation with the Independent Person considered the above complaints on 22 August 2012. He decided to resolve the matter by informal resolution.

1.2 The Monitoring Officer has met with the Complainant and Subject Members to seek conciliation and resolution.

1.3 The outcome of the meetings was as follows:

(1) The Complainant and Monitoring Officer discussed the new Kent Code of Conduct for Members and, in particular, the meaning of DPIs and OSIs and their implications. They also discussed the Worth Neighbourhood Plan and as a result the Monitoring Officer confirmed:

(i) DDC are working with Worth Parish Council (WPC) to ensure that the next stage of Neighbourhood Planning process follows all the required stages through to examination

(ii) WPC are following the Neighbourhood Planning Regulations

(iii) WPC has refined its consultation process and the Department for Communities and Local Government is impressed with the approach being taken

(iv) There was a genuine misunderstanding between DDC and WPC regarding the original Land Allocation consultation process, which lead to consultation only with Statutory Consultees.

(v) Planning Aid are assisting WPC

(2) The Subject Members and Monitoring Officer discussed the governance arrangements for the Neighbourhood Development Plan process. The Monitoring Officer confirmed that the current arrangements are sound and has based this on:

- (i) Discussions with the Senior Planning Officer who is providing the direct input to the Worth Neighbourhood Development Plan, who confirmed that sound and robust governance arrangements are in place between Dover District Council and Worth Parish Council and they are following the Neighbourhood Planning Regulations
- (ii) A review of the consultation procedures confirmed that the necessary processes and stages are in place, in particular encouraging participation from the local community.
- (iii) That the designation of the Worth Neighbourhood Area is to be considered by Dover District Council at its Cabinet meeting on 7 January 2013.
- (iv) That the process being undertaken has robust independent scrutiny arrangements in place
- (v) That the Parish Council decision making is undertaken by a committee of the Parish Council and not by any one individual
- (vi) That the Localism Act explicitly allows local areas to determine their own future.

2. **Options**

- 2.1 The Kent Code of Conduct for Members, Appendix 2, Annex 2 – Para 6.4 requires the Monitoring Officer to report the outcome of the Informal Resolution to the Standards Committee. This is the only option available. The Committee is therefore asked to note this report.

3. **Resource Implications**

There are no resource implications.

4. **Background Papers**

SC101, 102 and 103 files.

Contact Officer: David Randall, Director of Governance and Monitoring Officer