

Standards Committee

Friday, 28 March 2008

Present: Mr Ellwood (Independent Chair), Councillor Alan Cain (Vice-Chair) and Councillors Judith Boothman, Thomas McGowan, Rev John Cree (Independent Member) and Mrs Joan Geddes (Parish Council Member)

Officers in attendance: Andrew Docherty (Director of Governance - Monitoring Officer) and Ruth Hawes (Assistant Democratic Services Officer)

Also in attendance: Councillors Alan Cornwell (Reserve Parish Council Member)

08.S.15 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Keith Iddon.

08.S.16 DECLARATIONS OF ANY INTERESTS

No members declared any interests in matters under consideration on the agenda.

08.S.17 MINUTES

RESOLVED – That the minutes of the meeting of the Standards Committee held on 8 February 2008 be confirmed as a correct record and signed by the Chair.

On behalf of the Committee the Chair welcomed Reverend Cree back to the Committee.

08.S.18 UPDATE ON THE PROGRESS OF THE REGULATIONS IN RELATION TO THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Monitoring Officer advised that the Regulations had not yet been issued. At the Independent Members Forum it had been suggested by policy advisors at the Standards Board that the Regulations would come into force in May.

The Chair advised that there would be a recommendation from the Standards Board to have three independent members and three parish council representatives on the Committee. Steps were being taken to increase these numbers on the Chorley Committee.

Other issues were discussed, including the 20 days time limit to determine action to be taken on the receipt of a complaint. It is anticipated that the Monitoring Officer will be asked to submit a quarterly return and the Standards Committee an annual return covering a range of topics.

The Regulations covering joint working would not be introduced until after the local filtering Regulations, meaning a delay in confirming any joint working agreements.

The Committee discussed the pros and cons of the same members taking part in the filter and determination stages. It was noted that the same member could not take part in the filter and review stages.

It was **AGREED** that the membership of the sub-committees would be allocated on a case-by-case basis. This would allow for if a member was conflicted out and would allow experience of the different stages.

The Committee expressed concerns over the potential requirement to publicise the new requirements. It was important to make it clear to the public that complaints regarding procedural issues would go to the Ombudsman whilst code of conduct issues would go to the Monitoring Officer.

The Committee supported the principle of mediation and hoped that there will be the opportunity for the Monitoring Officer to mediate before a formal complaint is made.

RESOLVED – That the update be noted.

08.S.19 UPDATE - INDEPENDENT MEMBERS FORUM

This item was taken as part of the previous item.

08.S.20 FEEDBACK FROM VISITS TO PARISH COUNCILS

Members reported back from their visits to parish councils. A number of members were due to visit their allocated parishes before May.

The common issue raised was declarations of interests. Generally Parishes were appreciative of the visit.

A situation had arisen where a parish councillor should have declared an interest in relation to a planning issue. The mentor had taken the issue up with the clerk after the meeting. The Committee discussed methods of dealing with similar situations and agreed that this was a matter for each person to decide. Advice could be sought from the Monitoring Officer before action was taken.

Several parish councils did not have a standard item for declaration of interests on the agenda. Part of the role of Committee is to promote high standards of conduct and give advice to parishes accordingly.

It was noted that the Monitoring Officer and Standards Committee was not responsible for the processes followed by parish councils in the production and publication of agendas or for general legal advice.

RESOLVED

- 1. The feedback is noted.**
- 2. A letter is sent to all parishes thanking them for their participation and to advise the mentoring scheme will continue, as it has been helpful both for the parish councils and the Standards Committee. The wording of the standard declarations item used by the Council will be included for use by parishes.**

08.S.21 WORK UNDERTAKEN TO PROMOTE THE CODE OF CONDUCT

Officers advised that all Parish Council's have adopted the revised code of conduct. There were two sets of forms for the register of financial and other interests yet to be received. The forms would be examined at the next meeting of the Standards Sub-Committee.

There have been queries from parish council clerks, relating to declaring interests in particular.

RESOLVED – That the update be noted.

08.S.22 STANDARDS SUB-COMMITTEE

RESOLVED

1. That the Standards Sub-Committee be held on Tuesday, 1 April 2008 commencing at 2pm.
2. The membership of the Sub-Committee to be Mr Ellwood (Chair), Councillors Judith Boothman and Thomas McGowan.

08.S.23 GUIDANCE ON CONFIDENTIAL INFORMATION

The Committee considered the enclosed fact sheet published by the Standards Board for England and discussed that the essential elements were covered within the fact sheet.

The Committee considered whether further guidance should be produced on information accessible by members and disclosed by members. The rules around information are complex. Councillors are entitled to information members of the public can see and can make Freedom of Information requests. There are occasions when members do not have access to confidential information.

RESOLVED

1. The fact sheet be noted.
2. To produce a guidance note on information accessible by Members after the Annual Meeting.

08.S.24 ARRANGEMENTS FOR NEWLY ELECTED BOROUGH AND PARISH COUNCILLORS

The Committee discussed the arrangements the newly elected Councillors.

The register of financial and other interest form would be reviewed and reissued to all Borough and Parish Councillors. A section within the Induction Day for Borough Councillors included an introduction to the Code of Conduct, in addition a training session would be held in June specifically on standards issues. Members of the Committee would be notified of this training.

RESOLVED – That the arrangements be noted.

08.S.25 TRAINING EXERCISE FROM THE STANDARDS BOARD FOR ENGLAND

Members considered a training exercise for standards committees on local assessment from the Standards Board for England.

RESOLVED –That an afternoon training session be held, as a one off session, once the regulations are published.

08.S.26 THE NUMBER OF ANY ALLEGATIONS REFERRED TO THE STANDARDS BOARD SINCE THE LAST MEETING

One.

08.S.27 THE NUMBER OF ANY ALLEGATIONS REFERRED BACK TO THE MONITORING OFFICER WHERE THERE IS NO FURTHER ACTION TO BE TAKEN

One.

08.S.28 BRIEF RESUME OF DETAILS REGARDING ANY ALLEGATIONS REFERRED BACK TO THE MONITORING OFFICER WHERE ACTION IS TO BE TAKEN EITHER BY THE COMMITTEE OR MATTERS BEING REFERRED TO THE ADJUDICATION PANEL

Two.

08.S.29 NEWS FROM THE STANDARDS BOARD/ADJUDICATION PANEL

This item was discussed at a previous item.

08.S.30 STANDARDS COMMITTEE WORK PROGRAMME

The Committee considered the work programme for 2008 and the suggested topics of training on local assessment.

RESOLVED – That the work programme be noted.

Chair