

Standards Committee

Thursday, 5 June 2008

Present: Mr Ellwood (Independent Chair), Councillor Keith Iddon (Vice-Chair) and Councillors Judith Boothman, Debra Platt, Stella Walsh, Rev John Cree (Independent Member) and Mrs Joan Geddes (Parish Council Member)

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

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

08.S.31 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Thomas McGowan.

08.S.32 DECLARATIONS OF ANY INTERESTS

Councillor Debra Platt declared an interest in items 11 and 15 on the agenda.

08.S.33 MINUTES

RESOLVED – That the minutes of the meeting of the Standards Committee held on 28 March 2008 be confirmed as a correct record and signed by the Chair.

08.S.34 UPDATE FROM THE LANCASHIRE STANDARDS CONFERENCE

The Committee considered the report of the Monitoring Officer on the Lancashire Standards Conference held in March 2008.

It was noted that the criteria for referral would be considered at a later agenda item.

RESOLVED – That the report be noted and that Mr Ellwood's details be passed to Lancashire County Council for inclusion on the register of Independent Members.

08.S.35 NEWS FROM THE STANDARDS BOARD/ADJUDICATION PANEL

The Monitoring Officer presented a report updating Committee on the impact of the Standards Committee (England) Regulations 2008.

The Regulations 2008 have been implemented with effect from the 8th May 2008. Any complaint that a member has breached the Code of Conduct must be referred to the local Standards Committee.

The Committee discussed the report, in particular, the arrangements for publicising the new complaints process, the assessment criteria and notifying Councillors that an allegation had been made about them.

RESOLVED – That

- 1. The guidance from the Standards Board be noted and adopted.**
- 2. The notice on the Council's website publicising the new arrangements met the requirements, in addition to the parish council mentoring scheme.**
- 3. The Monitoring Officer, in consultation with the Chairman, be authorised to finalise the format of the complaints form. A link to the complaints form to be accessible from the Council's website.**

4. **The assessment criteria be approved.**
5. **Members' subject of a complaint be notified after a meeting of the Assessment Sub-Committee.**
6. **Review Sub-Committees should consider a complaint afresh, substituting its own view for that of the Assessment Sub-Committee.**
7. **Assessment, Review and Hearing Sub-Committees be established consisting of any three members of the Standards Committee, including at least one independent member and a parish council member where parish matters are being considered.**
8. **The Chief Executive, or her representative, be authorised to convene ad hoc Assessment and Review Sub-committees, each of three members to deal with the initial assessment of allegations and subsequent requests for review.**

08.S.36 RECRUITMENT OF ADDITIONAL STANDARDS COMMITTEE MEMBERS

The Committee received a report from the Monitoring Officer updating on the recruitment of additional Committee members.

Members noted that the new Regulations and local assessment of complaints require three sub-committees, one for each stage of the process, and each sub-committee will need to consist of no less than three members of the standards committee, including an independent member and a parish council representative if the matter under consideration relates to parish issues.

At the Annual Meeting the membership of the Committee was increased to take account of this. A job description and person specification have been drawn up for the Independent Member and advertisements are to be placed in Chorley Borough News and on the Council's website. Interviews will be held with the Chair and Monitoring Officer later in the summer.

The Committee must consult parish and town councils within its area on Parish Council issues and members discussed options to recruit parish representatives. It was AGREED that a letter be sent to all parish council clerks requesting one nomination per parish council. The letter will enclose a copy of the job description and person specification prepared for the recruitment of independent members for information.

In previous times representatives have been nominated from the Lancashire Association of Local Authorities, but it was noted that all parishes were not a member of this.

RESOLVED – That the update be noted and suggestions on the recruitment be taken forward.

08.S.37 REPORTING MECHANISM TO THE STANDARDS BOARD FOR ENGLAND

The Monitoring Officer advised that the first report required by the Standards Board for England relates to the composition of the Committee. The following reports would relate to numbers of allegations made and related information.

RESOLVED - That the update be noted.

08.S.38 ARRANGEMENTS FOR THE TRAINING EXERCISE FROM THE STANDARDS BOARD FOR ENGLAND ON LOCAL ASSESSMENT

It was noted that the Committee would undertake the Standards Board for England training exercise on local assessment on Monday, 9 June at 2.00pm in Committee Room 1.

08.S.39 UPDATE ON THE PARISH COUNCIL MENTORING SCHEME

The Chair advised that the purpose of mentoring is to raise awareness of the Committee and its role, future developments relating to Standards, to act as a contact point for queries and attend meetings of the Parish Council once before April 2009.

It was noted that is not appropriate for mentors to give advice on specific cases or deliver detailed training. If there are any specific queries these should be forwarded to the Monitoring Officer. The Committee discussed approaches to mentoring and the experiences of the scheme so far.

A letter would be sent to all parish council clerks advising who their mentor would be for the forthcoming year.

RESOLVED –

- 1. To note the update,**
- 2. The briefing note for mentors be updated and forwarded to Standards Committee members with contact details for the relevant parish council clerks.**

08.S.40 WORK UNDERTAKEN TO PROMOTE THE CODE OF CONDUCT

The Monitoring Officer advised that there were five Councillors newly elected at the elections in May, with several having experience of the Code of Conduct. The Code was highlighted at the induction and all Borough Councillors and Parish Councillors would be invited to a refresher training session on 17 July.

The fact sheet on confidential information, considered at the last meeting, is available for members on the loop.

Parish Councils

A letter was sent to all parish council clerks regarding the new Regulations with a further letter enclosing the revised forms for parish councilors to register their financial and other interests.

A letter would be sent to clerks requesting confirmation of the membership of Parish Councils and other issues raised at this meeting.

RESOLVED – That the update be noted.

08.S.41 TO ESTABLISH A PARISH HEARING SUB-COMMITTEE

Councillor Debra Platt declared a personal interest.

RESOLVED – That the members of the Parish Hearing Sub-Committee be Mr Ellwood (Chair), Councillor Keith Iddon and Mrs Joan Geddes (Parish Council representative).

08.S.42 MEMBERS MINI WEBSITES

The Committee considered the acceptable use policy for members' mini websites. The Council provides Councillors with a mini website to help them promote their work and communicate with their Constituents on matters affecting them.

The policy sets out some rules to guide members on using their mini website effectively and deals with Code of Conduct issues.

RESOLVED – That the acceptable use policy be agreed, subject to an amendment on page 4 “You must not use your web pages for any commercial activity or advertisements for other businesses”.

08.S.43 STANDARDS COMMITTEE WORK PROGRAMME

The Committee discussed the work programme and noted that the previous year had been intensive with issues on the work programme. It was **AGREED** that no further items be added to the work programme to allow the new Regulations to bed in.

08.S.44 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

08.S.45 LOCAL INVESTIGATION REPORT

Councillor Debra Platt declared a personal interest and left the meeting at 2.50pm.

The Committee considered the report SBE 20374.07, an investigation into a complaint from Parish Councillor Rod Fraser concerning the alleged conduct of Parish Councillor Mark Perks, a member of Astley Village Parish. In summary the complaint alleged that:

Councillor Perks had breached the Code of Conduct as a result of disclosing confidential information at a meeting of the Parish Council on 7 November 2007.

Decision of the Committee

In accordance with Regulation 5(8) of the Local Authorities (Code of Conduct) (Local Determinations) Regulations 2003 the Standards Committee accepted the findings of the report that there had not been a failure to comply with the Code of Conduct. No further action is therefore required.

Chair