

Standards Committee

Thursday, 17 September 2009

Present: Tony Ellwood (Independent Chair), Councillor Mike Devaney (Vice-Chair) and Councillors Judith Boothman, Catherine Hoyle, Debra Platt, Stella Walsh, Hugh Evans (Independent Member), Gwynne Furlong (Independent Member), Joan Geddes (Parish Council representative), Bill Mason (Parish Council representative) and Alan Platt (Parish Council representative)

Officers in attendance: Andrew Docherty (Director of Governance / Monitoring Officer) and Ruth Rimmington (Democratic and Member Services Officer)

09.S.94 WELCOME AND INTRODUCTIONS

The Chair welcomed the two new Independent Members Hugh Evans and Gwynne Furlong.

09.S.95 APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

09.S.96 MINUTES

RESOLVED – That the minutes of the meeting of the Standards Committee held on 18 June 2009 be confirmed as a correct record and signed by the Chair.

09.S.97 DECLARATIONS OF ANY INTERESTS

No interests were declared by Committee Members in respect of items on the agenda.

09.S.98 NEWS FROM STANDARDS FOR ENGLAND

The Monitoring Officer reported that the Bulletin from Standards for England had recently been published. This had been the subject of an “intheknow” article and had also been emailed to Parish Council clerks.

The Committee noted that the department for Communities and Local Government were responsible for dealing with the revisions and current advice was that a revised code would be ready in late autumn 2009. There were not many changes anticipated to the Code, with the main change being to allow the Code to cover Members in their non-official capacity, where that conduct would be a criminal offence.

RESOLVED – The update be noted.

09.S.99 CASES UPDATE

The Monitoring Officer presented a report outlining recent cases which had been considered nationally.

Members noted in one instance the reputation of the Standards Committee had been drawn into question by the local media and agreed it would be useful for the Committee to have a discussion this issue at a future meeting.

Members noted the quarterly return to Standards for England and commented how useful this information was. The Monitoring Officer updated the Committee on current local cases.

RESOLVED – The report, quarterly return and cases update be noted.

09.S.100 BRINGING STANDARDS INTO FOCUS 2009 ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

The Committee considered issues that could be raised at the Annual Assembly in October and noted this would be a good opportunity to discuss experiences with other delegates.

RESOLVED – The comments of the Committee be raised by the Chair at the Assembly.

09.S.101 GRANTING OF DISPENSATIONS: THE NEW GUIDANCE

The Committee received the report of the Monitoring Officer outlining new regulations on granting dispensations and recently issued Standards for England guidance.

The new Regulations clarified the grounds on which Standards Committees could grant dispensations to local authority Members. The new Regulations amended the wording of the “political balance” criterion and specifically exclude earlier granted dispensations from consideration ie the Committee should consider the position as if there were no dispensations granted.

Members noted that very few requests for dispensations were received.

RESOLVED – The report and Standards for England guidance be noted.

09.S.102 PROBITY IN PLANNING

The Committee received the report of the Monitoring Officer which notified the Standards Committee of a recently published Local Government Association document entitled “Probity in planning: the role of Councillors and officers – revised guidance note on good planning practice for Councillors and officers dealing with planning matters”.

As suggested within the Guidance seminars and training sessions were held regularly on the planning process and the Code of Conduct. In addition, pre-application discussions have been held on occasion for major applications.

It was noted that the Guidance advised that public speaking rules should grant each speaker the same length of time, including ward Councillors. A report was scheduled to be presented to Council to bring the Chorley policy in line with this.

RESOLVED

- 1. The report be noted.**
- 2. A further report be presented following the completion of the review of the planning code by ACSES.**

09.S.103 FEEDBACK FROM VISITS TO PARISH COUNCILS

The Chair outlined the background to the mentoring scheme, with the main aim being to promote awareness of the Code of Conduct and the Chorley Standards Committee.

The mentors attend meetings of the Parish Council at least once a year. It was noted that advice on specific cases should be referred to the Monitoring Officer. Copies of the personal interest flow charts would be made available for mentors to distribute.

RESOLVED – The update be noted.

09.S.104 NOTIFICATIONS TO PARISH COUNCILS CONCERNING COMPLAINTS

The Committee discussed the Parish Council notification procedures highlighted in the latest version of the Town and Parish Standard.

When an allegation goes through the Standards sub-Committee (Assessment) relating to a Parish Councillor the Parish Council clerk received a copy of the decision notice, in addition to the subject of the complaint and the complainant. There was no Standards for England guidance on what action the clerk should take with this information and research has revealed only one Parish Council which had developed such guidance.

Committee Members expressed their view that the arrangements for Parish Councillors should reflect those for Borough Councillors. In addition, in cases where the decision on the allegation was to take no action Committee Members felt the Parish Council clerk should not be sent the decision notice.

RESOLVED

- 1. A letter be sent to Standards for England expressing the concerns of the Committee.**
- 2. A report be presented to a future meeting on how the Committee could support Parishes on this.**

09.S.105 WORK UNDERTAKEN TO PROMOTE THE CODE OF CONDUCT

The Monitoring Officer presented an update on the work undertaken to promote the Code of Conduct this quarter.

A few meetings ago a Parish Member-Employee Relations policy had been considered and some positive feedback and additions had been received from one of the Parish Councils. The majority of the mentoring information had been distributed, both to Parish Council clerks and Committee members.

A letter had been sent to the Parish Council clerks offering training to new Parish Councillors, highlighting that there were ongoing revisions to the Code of Conduct and enclosing a Governance Toolkit for Parish and Town Councils revised, updated and produced as a partnership between the National Association of Local Councils, the Society of Local Council Clerks, the Standards Board for England and the Association of Council Secretaries and Solicitors and endorsed by the Local Government Association. The annual report of the Committee had also been enclosed.

RESOLVED – The update be noted.

09.S.106 STANDARDS SUB-COMMITTEE

The Chair advised that the purpose of Sub-Committee was to review the financial and other interests register for Borough Councillors and Parish Councillors.

The quality of the registers considered had improved significantly since the creation of the Sub-Committee. Members noted it would be impossible to identify if all of the registers had been completed correctly and several registers had raised queries resulting in a letter being sent to the Parish Council clerks highlighting common errors, including the registration of a Councillors home.

RESOLVED

1. The update be noted.
2. The membership of the Standards Sub-Committee for the ensuing Municipal Year be Tony Ellwood (Independent Member), Mike Devaney (Borough Councillor) and Joan Geddes (Parish Council representative).

09.S.107 STANDARDS COMMITTEE WORK PROGRAMME

The Committee considered the Work Programme and noted that as the revised Code of Conduct had been expected the work programme had been constrained. However, following the earlier item on cases the Committee had agreed to consider reputation issues at a future meeting.

The Committee discussed methods for educating Members on the process and timescales involved in receiving allegations of a breach of the code, through the assessment, then potentially an investigation. This would be considered at a future meeting.

RESOLVED – The Work Programme be noted.

Chair