

## STANDARDS COMMITTEE

10.00 A.M.

20TH JANUARY 2011

**PRESENT:-** Councillors: Roger Dennison, Sheila Denwood, Roger Mace and Roger Sherlock

Independent Members: Stephen Lamley (Chairman), David Jordison,

Parish Councillors: Susan O'Brien, Frank Senior

Apologies for Absence

Councillors: Janie Kirkman and Joyce Taylor

Independent Members: Tony James (Vice-Chairman) and Sue McIntyre

Parish Council Representatives: Margaret Davy and Paul Gardner

Officers in attendance:-

Sarah Taylor	Head of Governance and Monitoring Officer
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Peter Baines	Senior Democratic Support Officer
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### 20 MINUTES

The minutes of the meeting held on 7<sup>th</sup> October 2010 were agreed as a true and accurate record, subject to the correction of a typographical error in Minute 14, Resolution 1: born to become borne.

### 21 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

The Chairman reported that he had agreed to consider a request for dispensation from Councillor Glyn Harmer of Yealand Redmarsh Parish Council, which would enable him to speak and vote at parish council meetings relating to the Klargester drainage system.

The appeal was received on 17<sup>th</sup> January 2011, and authorised as an item of urgent business owing to the date of this meeting and the date of the next Parish Council meeting.

It was noted that three similar requests for dispensations to take part in discussion and vote on matters relating to the Klargester drainage system were previously approved by the Standards Committee Dispensations Sub-Committee on 8<sup>th</sup> January 2010. The Sub-Committee determined that participation by Parish Councillors with prejudicial interests would not financially penalise other residents or damage public confidence in the Parish Council.

In the course of discussion, Members re-affirmed that the Klargester drainage system

was a proper issue for Yealand Redmarsh Parish Council to discuss, and the importance of obtaining a quorum of Members at meetings in order to do so.

***Resolved:***

To grant a dispensation for Councillor Glyn Harmer of Yealand Redmarsh Parish Council to speak and vote at Parish Council meetings on matters relating to the Klargester drainage system.

The dispensation would remain in place until Parish Council elections were held in May 2011.

**22 DECLARATIONS OF INTEREST**

Councillor Dennison declared a personal interest in Item 8, Summary of Complaints, as he was a subject of one of the complaints, and one of the complainants in another.

**23 FUTURE OF THE STANDARDS REGIME - PROVISIONS OF THE LOCALISM BILL**

The Monitoring Officer gave an update on the future of the standards regime, reporting that proposals for its abolition had been confirmed by the recently published Localism Bill.

A local regime would replace the current system and, whilst the power of the Secretary of State to issue a model code of conduct would be removed, local authorities would have the power to adopt a new code which dealt with the conduct expected of Members and Co-opted Members. It was reported that a voluntary code of conduct for England, produced by a national body such as the Local Government Association, had been subject to speculation and that it would be for the Council to make a decision on whether to adopt such a code were one to emerge.

The Chairman thanked Members for their continued involvement with the Standards Committee, and it was noted that the Localism Bill was unlikely to be enacted until the end of 2011 at the earliest, until which point the current standards regime would remain in place.

***Resolved:***

- (1) That the contents of the Monitoring Officer's report be noted;
- (2) That a note be circulated to Parish Council clerks which reminded their Members of the duty to uphold the current Code of Conduct; and
- (3) That the Committee endorsed the recommendation for training on the current Code of Conduct for new City and Parish Councillors after the 2011 local elections.

**24      PROTOCOL ON EMAILS SENT TO ALL COUNCILLORS**

The Chairman introduced the item by reminding Members that any recommendations from the Committee would be presented to the Council Business Committee.

The Head of Governance introduced a report which sought the Committee's views as to whether any action need to be taken or guidelines introduced to limit the sending of emails by councillors to all other councillors.

In the course of discussion, a consensus emerged that there was no need for further regulation. It was felt that emails sent to all Councillors had caused very few problems in the full period of time in which electronic mail had been available at the Council.

***Resolved:***

- (1) That it be recommended to the Council Business Committee that there was no need for further action;
- (2) That the note to Parish Council clerks, referred to at Minute 23, include a reminder for Parish Councillors to be mindful of the Code of Conduct when writing emails, and of the danger of using informal language when conducting official business by electronic mail.

**25      WHISTLEBLOWING POLICY**

The Committee noted an annual report on the operation of the Whistleblowing Policy, which revealed that no concerns had been lodged over the past twelve months.

***Resolved:***

That the report be noted.

**26      SUMMARY OF COMPLAINTS**

Members noted a written summary of complaints, a number of which had been finalised subsequent to the previous meeting in October 2010.

A debate ensued over the implications of the Localism Bill, which would remove the Standards Committee's power to impose suspension on Members in breach of the Code of Conduct. It was felt that suspension was a significant sanction, which could be used to support other sanctions, and that its removal would significantly reduce the Standards Committee's ability to maintain high standards of conduct amongst elected Members.

***Resolved:***

- (1) That the report be noted.
- (2) That the Monitoring Officer be requested to write to the Local Government Association to highlight the Committee's concern at the removal of the power of suspension.

27      **WORK PROGRAMME**

***Resolved:***

That the Standards Committee's work programme for 2011, as set out in the report, be approved.

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Chairman

(The meeting ended at 10.40 a.m.)

**Any queries regarding these Minutes, please contact  
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