



Committee: STANDARDS COMMITTEE
Date: THURSDAY, 9 JULY 2020
Venue: THIS IS A VIRTUAL MEETING
Time: 6.10 P.M.

A G E N D A

1. **Apologies for Absence**
2. **Appointment of Vice Chair**
3. **Minutes**

Minutes of meeting held on 16 January 2020 (previously circulated).

4. **Items of Urgent Business authorised by the Chair**
5. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

6. **Appointment of an Independent Person** (Pages 3 - 5)

Report of the Monitoring Officer

7. **Exclusion of the Press and Public**

The Committee is recommended to pass the following recommendations in relation to the following items:-

"That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that it could involve the possible disclosure of exempt information, as defined in

paragraph 1 of Schedule 12A of that Act.”

Members are reminded that, whilst the following item(s) have been marked as exempt, it is for Committee itself to decide whether or not to consider each of them in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion Members should also be mindful of the advice of Council Officers.

8. Summary of Complaints under the Code of Conduct (Pages 6 - 8)

Report of the Monitoring Officer

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Mandy King (Chair), Paul Anderton, Phillip Black, Mel Guilding, Debbie Jenkins, Stewart Scothern and Joanna Young

(ii) Substitute Membership

Councillors Richard Austen-Baker, Dave Brookes, Roger Dennison, Merv Evans, Jake Goodwin, Abi Mills, Jack O’Dwyer-Henry & Robert Redfern

(iii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - email ebateson@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

KIERAN KEANE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

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STANDARDS COMMITTEE**Appointment of an Independent Person
9 July 2020****Report of the Monitoring Officer****PURPOSE OF REPORT**

To enable the Standards Committee to consider making a recommendation to Council for the appointment of an independent person in accordance with the Localism Act 2011.

This report is public

RECOMMENDATIONS

- (1) That Mr Barry Dearing be recommended to Council for appointment as an Independent Person.**

1.0 Introduction

- 1.1 The Localism Act 2011 requires the Council's arrangements for dealing with complaints of breach of the Code of Conduct to include provision for the appointment by the Council of at least one Independent Person, who must be appointed through a process of public advertisement, application, and appointment by a positive vote of a majority of all members of the Council (not just of those present and voting).
- 1.2 The Independent Person must be consulted before the Council makes a finding as to whether a member has failed to comply with the Code of Conduct, or decides on action to be taken in respect of that member. The Independent Person may be consulted by the Council in respect of a standards complaint at any other stage, and may be consulted by a member or co-opted member of the Council or of a parish council against whom a complaint has been made. The Committee's arrangements for dealing with complaints require the Independent Person to be consulted before a complaint is referred for investigation.
- 1.3 On 2 March 2016 Council appointed Mrs Jacqueline Waring as its Independent Person. At the same time a second Independent person was appointed and a reserve independent person remained in place, however these two persons have since resigned from their roles.
- 1.4 Towards the end of last year was felt that a second independent person was required to enable standards matters to be dealt with swiftly without overburdening Mrs Waring. A resulting recruitment exercise was undertaken earlier this year. The current Independent Person for Ribble Valley Borough Council, Mr Barry Dearing, applied and was subsequently interviewed by the Monitoring Officer and Deputy Monitoring Officer. Mr Dearing chaired the

Ribble Valley Borough Council's Standards Committee from 2001-2012, when Committees were required to have an Independent Chair. Having practised as a solicitor in East Lancashire since 1971, Mr Dearing is now a consultant. For the last 25 years Mr Dearing has been a Director of the Riverside Charitable Trust, based in Rossendale.

- 1.5 Mr Dearing attended for an interview with the Monitoring Officer and Deputy Monitoring Officer on 22 January 2020. Mr Dearing has considerable experience which is directly relevant to the role and it is the recommendation of the Monitoring Officer that Mr Dearing be recommended for appointment as the second Independent Person for the City Council.

2.0 Proposal Details

- 2.1 The Standards Committee is asked to recommend to Council that Mr Barry Dearing be appointed as a second Independent Person for the City Council. The appointment of Independent Person is for an indefinite period, but may be terminated by either party at any time.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None directly arising from this report. As required by the Localism Act 2011, the appointments have been made following public advertisement.

LEGAL IMPLICATIONS

The Council is required to appoint at least one Independent Person, and it is good practice to have more than one to cover absence or conflicts of interest.

FINANCIAL IMPLICATIONS

None directly arising from this report. No allowance is paid to the Independent Person, but travel expenses can be claimed, which can be met from existing budgets.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 officer has no comments.

MONITORING OFFICER'S COMMENTS

This report is by the Monitoring Officer.

BACKGROUND PAPERS

None

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Ref:

Standards Committee**Summary of Complaints under the Code of Conduct****9 July 2020****Report of the Monitoring Officer****PURPOSE OF REPORT**

This report advises the committee about the progress of current complaints and any others received since the last report in January 2020.

This Report is public however Appendix 1 is exempt from publication by virtue of paragraph 1 of, of Schedule 12a of the Local Government Act 1972.

RECOMMENDATION

(1) That the Committee notes the report.

1.0 Introduction

1.1 The Monitoring Officer provides a regular report to the Committee summarising the progress on current complaints under the code of conduct.

1.2 In October 2012, the Committee resolved that reports to this Committee about complaints should be exempt from publication but should identify the subject members of the complaints, for the Committee's information.

1.3 However, Council has resolved that all members of the Council should have access to all exempt reports, background papers and minutes, save where the report, background paper or minutes relates to an individual officer (other than an Chief Executive or Chief officers), an individual member of the Council or and individual third party, or where the member seeking to attend has a disclosable pecuniary interest or other interest within paragraph 12 (1) of section 2 of part b of the code of conduct, in the item of business.

1.4 Although not specifically articulated above, Appendix 1 of this report remains exempt by virtue of the restriction relating to individual members of the Council and third party information clause as set out above.

2.0 Proposal Details

2.1 A summary of complaints is attached

3.0 Details of Consultation

3.1 None

RELATIONSHIP TO POLICY FRAMEWORK None	
CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing): None	
LEGAL IMPLICATIONS None, although consideration must always be given to proportionality and the lawful interference with the right to private and family life.	
FINANCIAL IMPLICATIONS None	
OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces: None	
SECTION 151 OFFICER'S COMMENTS None	
MONITORING OFFICER'S COMMENTS This report has been compiled by the Monitoring Officer.	
BACKGROUND PAPERS	Contact Officer: Debbie Chambers Deputy Monitoring Officer Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk

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