



Committee: STANDARDS COMMITTEE

Date: THURSDAY, 6 JULY 2023

Venue: LANCASTER TOWN HALL

Time: 6.10 P.M.

A G E N D A

1. **Apologies for Absence**
2. **Appointment of Vice-Chair**
3. **Minutes** (Pages 3 - 4)

To receive the Minutes of the meeting held on 3 November 2021 (attached).

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. **Exclusion of the Press and Public**

Whilst the report is public it contains an exempt appendix, and the Committee is recommended to pass the following recommendation in relation to the following item:-

"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 of business if the Committee are minded to refer to the exempt appendix, 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 includes an exempt appendix, it is

for Committee itself to decide whether or not to consider it 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.

7. **Summary of Complaints under the Code of Conduct** (Pages 5 - 7)

Report of the Monitoring Officer

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Hamish Mills (Chair), Joanne Ainscough, Ruth Colbridge, Prof Chris Harris, Paul Newton, Sarah Punshon and Sam Riches

(ii) Substitute Membership

Councillors Shelagh McGregor & Abi Mills

(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 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on WEDNESDAY 28 JUNE, 2023.

STANDARDS COMMITTEE**10.30 A.M.****3RD NOVEMBER 2021**

PRESENT:- Councillors Joanna Young (Chair), Paul Anderton, Mel Guilding, Debbie Jenkins, Mandy King and Jason Wood (Substitute for Cllr Phillip Black)

Apologies for Absence
Councillors Phillip Black & Peter Yates

Also in attendance
Jackie Wearing – Independent Person
Subject Member

Officers in attendance:-
Luke Gorst Head of Legal Services and Monitoring Officer
Paul Washington Investigating Officer
Liz Bateson Principal Democratic Support Officer, Democratic Services

7 MINUTES

The Minutes of the meeting held on 8 July 2021 were agreed as a correct record.

8 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

9 DECLARATIONS OF INTEREST

No declarations of interest were made at this point.

10 EXCLUSION OF THE PRESS AND PUBLIC***Resolved:***

That, in accordance with Section 110A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item 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.

11 STANDARDS COMPLAINT 5/21

The Committee considered an exempt report from the Monitoring Officer with regard to two separate Code of Conduct complaints concerning a City Councillor in their capacity as a parish councillor. Details of the alleged breaches were detailed in the exempt report.

The Subject Member and Investigating Officer were invited to join the meeting and the Chair introduced those present including the Independent Person who was present in an advisory non-voting capacity.

The complaints were considered individually and in accordance with procedure, the Investigating Officer and the Subject Member responded to questions from the Committee and the Independent Person.

The meeting adjourned at 12.45 in order for the Committee to determine whether in their opinion the Subject Member had breached the Code of Conduct. The Subject Member and Officers left the meeting at this point. The meeting reconvened at 13.55.

On reconvening, the Chair confirmed that the Subject Member had been found to be in breach of the Code of Conduct in both cases. With regard to the first complaint the Subject Member was found to have breached Section 3 '*you must treat others with respect*' and section 5 '*you must not conduct yourself in a manner which could reasonably be regarded as bringing the Council or the office of councillor into disrepute.*' With regard to the second complaint in the opinion of the Committee Section 3 '*you must treat others with respect*' had been breached.

The Subject Member was invited to make representations before the Committee considered what, if any sanction should be imposed. At this point the Subject Matter advised the meeting that he had retired from the parish council.

The Subject Member, Investigating Officer and Principal Democratic Support Officer left the meeting at 14.00 whilst the Committee discussed any possible sanctions. The Monitoring Officer remained in the room to provide legal advice. The Subject Member and Principal Democratic Support Officer were invited back into the meeting at 14.12.

On reconvening the Chair noted the resignation from the parish council of the Subject Member and expressed appreciation for the long and dedicated service that the Subject Member had provided to the community. The Chair confirmed that there would be no public censure.

Resolved:

- (1) That there be no public censure of the Subject Member.
- (2) That the parish council be recommended to undertake a review of its financial procedures and that the parish councillors be recommended to undergo training on rules and procedures.

Chair

(The meeting ended at 2.14 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - email ebateson@lancaster.gov.uk**

Standards Committee**Summary of Complaints under the Code of Conduct****6 July 2023****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 July 2021.

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: Liz Bateson Telephone: 01524 582047 E-mail: ebateson@lancaster.gov.uk

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted