



Committee: STANDARDS COMMITTEE
Date: WEDNESDAY, 13 SEPTEMBER 2006
Venue: LANCASTER TOWN HALL
Time: 1.00 P.M.

A G E N D A

1. **Minutes** (Pages 1 - 4)

Minutes of the meeting held on 15th December 2005

2. **Exempt Item**

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, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 1, 7c and 12 of Schedule 12A of that Act.”

Members are reminded that, whilst the following items have been marked as exempt, it is for the 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 should balance the interests of individuals or the Council itself in having access to information. In considering their discretion Members should also be mindful of the advice of Council Officers.

3. **Consideration of the Investigating Officer's Report in Respect of Two Matters Referred for Local Investigation** (Pages 5 - 26)

Report of Head of Legal Services and Human Resources/ Monitoring Officer

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors

Councillors Keith Budden, Maggie Chadwick, Gina Dowding, John Harrison, David Kerr, Janie Kirkman and Roger Mace

Voting Co-optees

Stephen Lamley (Chairman)
Fiona Humphreys (LAPTC), Tony James and Sue McIntyre

(ii) Substitute Membership

Councillors

Councillors Susie Charles, Jean Dent, Pat Quinton and Roger Sherlock

(iii) Queries regarding this Agenda

Please contact Stephen Metcalfe, Democratic Services - telephone (01524) 582073 or email smetcalf@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN
CHIEF EXECUTIVE
TOWN HALL,
LANCASTER LA1 1 PJ

Published on 4th September 2006

STANDARDS COMMITTEE**10.00 A.M.****15TH DECEMBER 2005**

PRESENT:- Stephen Lamley (Chairman), Keith Budden, Gina Dowding, Fiona Humphreys, Mr Tony James and Roger Mace, John Harrison and Pat Quinton (substitute for Councillor Kirkman)

Apologies for absence:-

Councillors Paul Gardner, David Kerr and Janie Kirkman and Mrs Sue McIntyre

Officers in attendance:-

Roger Muckle	Corporate Director (Central Services)
Sarah Taylor	Head of Legal Services
Jon Stark	Democratic Support Officer

15 MINUTES OF THE MEETING HELD ON 16TH JUNE 2005

The Minutes of the meeting, held on 16th June 2005, were accepted as a correct record subject to the following amendments:

- (1) That Councillor Gina Dowding's apologies be added.
- (2) That it be noted that a letter had been sent to all Councillors and to the independent Members of the Standards Committee following the Cabinet decision with regard to indemnities (Minute 8 refers).
- (3) Further to Minute 10, the Corporate Director (Central Services) tabled at the meeting an amended version of the Protocol on Publicity for Allegations of Breaches of the Code of Conduct made to the Standards Board, which incorporated a requirement for a Member making a complaint to the Standards Board to notify the Monitoring Officer, who would then inform the other Member that a complaint had been made. The Committee agreed a number of further amendments to the proposed wording.

It was moved by Councillor Harrison and seconded by Mr James:-

"That Council be recommended to approve the amended 'Protocol on Publicity for and Notification of Allegations of Breach of Code of Conduct made to the Standards Board' for inclusion in the Council's Constitution."

Upon being put to the vote, Members voted in favour of the proposal, whereupon the Chairman declared the proposition to be carried.

Resolved:

That Council be recommended to approve the amended 'Protocol on Publicity for and Notification of Allegations of Breach of Code of Conduct made to the Standards Board', for inclusion in the Council's Constitution.

A copy of the amended Protocol, with tracking highlighting the amendments is appended to these Minutes.

16 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor Harrison and seconded by Councillor Dowding:-

“That Councillor Mace be appointed Vice-Chairman of the Standards Committee for the remainder of the Municipal Year.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposition to be carried.

Resolved:

That Councillor Mace be appointed Vice-Chairman of the Standards Committee for the remainder of the Municipal Year.

17 4TH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

The Chairman delivered an oral report on the 4th Annual Assembly of Standards Committees, which took place in Birmingham. This was a two-day Conference consisting of a variety of presentations and meetings regarding Standards Committees' work. Members were informed that a training session had been provided on conducting hearings and on mediation techniques for resolving disputes.

The Committee was advised that the 5th Annual Assembly of Standards Committees would take place on the 16th and 17th October 2006.

Resolved:

That the oral report be noted.

18 CODE OF CONDUCT UPDATE

It was reported that the Standards Board had submitted a number of recommendations to Ministers for consideration, following consultation on a proposed review of the Code of Conduct. However, the Government's response was still awaited.

The Committee discussed the issue of raising Members' awareness and understanding of the provisions of the Code of Conduct, both on their first election to the Council and during their term in office. It was suggested that there was a particular difficulty with Members' obligations with regard to personal and prejudicial interests, and it was suggested that a briefing note could be circulated to all Members.

It was also suggested that an individual Member could be appointed within each political group charged with providing guidance and alerting colleagues of their duties with regard to interests. It was also noted that discussions were ongoing with individual Members as to their training needs, and that the outcome of these discussions might indicate any further need for training.

It was proposed by the Chairman and seconded by Councillor Harrison:-

“That further thought be given within the groups to the alternative ideas put forward by the Committee.”

Upon being put to the vote Members voted in favour of the proposal, whereupon the Chairman declared the proposition to be carried.

Resolved:

That further thought be given within the groups to the alternative ideas put forward by the Committee.

19 GRANTING OF DISPENSATIONS - THURNHAM PARISH COUNCIL

The Corporate Director (Central Services) presented a report regarding the ‘Granting of Dispensations for Thurnham Parish Council’. The report gave an update to the Committee regarding the requests for dispensations received from five members of the Thurnham Parish Council, considered at the Committee’s previous meeting (Minute 9(1) refers).

Resolved:

It was noted that Parish Councillors A. Stalker and M. Stalker of Thurnham Parish Council, as Chairman and Treasurer respectively of the Glasson Dock Bowling Club, did not wish to proceed with their requests for dispensations.

20 STANDARDS BOARD CASE REFERRALS

The Corporate Director (Central Services) presented a report of ‘Standards Board Case Referrals 2005/06’ to update the Committee on both the national and local position of the Standards Board workload. Appended to the report was the Standards Committee News: 04 document for Members to consider.

In 2005/06, the total number of allegations received by the Standards Board up to the end of October was 2,427. The statistics showed that 64% of these were received from members of the public and 29% from fellow Councillors. 41% of the allegations received were in respect of Parish Councils and 25% in respect of District Councils.

Of the allegations received, a total of 655 (27%) had been referred for investigation. An analysis of the nature of the allegations investigated showed that the most common areas for complaint concerned:-

- Prejudicial interest (23%)
- Bringing authority into disrepute (23%)
- Failure to treat others with respect (14%)
- Failure to disclose personal interests (13%)
- Using position to confer or secure an advantage or disadvantage (13%)

Of these cases, 56% were in respect of Parish Councils and 21% in respect of District Councils.

Locally, the Standards Board had received a total of 45 allegations of misconduct in respect of City and Parish Councillors. Currently there were 6 cases being investigated; 4 by Ethical Standards Officers in respect of City Councillors, and 2 by the Monitoring Officer in respect of Parish Councillors. Members were advised the Monitoring Officer would report to the Committee on completion of the investigations.

Resolved:

That the report be noted.

21 PARISH COUNCILS - PROMOTION OF STANDARDS

The Chairman led a discussion on the promotion of standards within Parish Councils. It was reported that the Committee was responsible for over 30 Parish Councils, and that there was a need to show an enhanced commitment to providing guidance in raising awareness of Members' responsibilities under the Code of Conduct.

The Corporate Director (Central Services) highlighted a procedural guidance document entitled 'Association of Council Secretaries and Solicitors, Parish Council Toolkit' that should have been made available to all Parish Councils in the District. It was agreed that all Parish Clerks should be made aware of the document and should be requested to submit any recommendations on training or guidance they wished to be provided with.

It was proposed by Councillor Harrison and seconded by Mr James:-

"That the Monitoring Officer write to the Parish Clerks within the District highlighting the availability of the document and requesting that any suggestions for further training be submitted."

Upon being put to the vote Members voted in favour of the proposal, whereupon the Chairman declared the proposition to be carried.

Resolved:

That the Monitoring Officer write to the Parish Clerks within the District, highlighting the availability of the document and requesting that any suggestions for further training be submitted.

Chairman

(The meeting ended at 11.08 a.m.)

**Any queries regarding these Minutes, please contact
Jon Stark, Administration Services - telephone (01524) 582132 or email
jstark@lancaster.gov.uk**

By virtue of paragraph(s) 1, 7c of Part 1 of Schedule 12A
of the Local Government Act 1972.

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