

## STANDARDS COMMITTEE

## AGENDA ITEM: 4

HELD:20 DECEMBER 2005

Start: 7.30pm

Finish: 8.40pm

### PRESENT

Independent Members:	Mr. J. Cailes (Chairman) Mr. Hanmer (Vice Chairman) R Merry B Molyneux
Councillors	Dereli Grant
Parish Councillors	J Draper D Kitson
Officers:	Council Secretary & Solicitor Assistant Member Services Manager

### 15. APOLOGIES

Apologies for absence were received on behalf of Independent Member, R Chester and Councillor Mrs Atherley.

### 16. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

### 17. DECLARATIONS OF INTEREST

1. The following Members of the Committee declared that they did not intend to participate in item 5 'Local Investigation – SBE 11605.05' for the reasons indicated:

Councillor Grant	The husband of the Parish Councillor who was the subject of the investigation is a Cabinet Member with him on the Council.
Parish Councillor Kitson	The husband of the Parish Councillor who was subject of the investigation is a Parish Councillor with whom he attends meetings.
Independent Member R Merry	The husband of the Parish Councillor who was the subject of the investigation, was known to him.

2. Councillor Dereli declared a personal interest in item 6 'Standard Board Decisions – Various' in relation to SBE 6815.03, as she was a Burscough Parish Councillor.

3. Independent Member Brian Molyneux declared in relation to item 6 'Standard Board Decisions – Various' in relation to SBE 4339.03 and SBE 8566.04, he was a resident of Hesketh Bank.

**18. MINUTES**

The Council Secretary and Solicitor advised the Committee that in respect of:

1. Minute 14 B (1) & (2), she had written to the Standards Board for England with the Committees comments.
2. Minute 14 C, the Standards Board for England had not revised the case summary referred to.

RESOLVED That the minutes of the meeting held on 30 June 2005 be approved as a correct record and signed by the Chairman.

**19. LOCAL INVESTIGATION - SBE 11605.05**

The Committee considered the report of the Council Secretary and Solicitor which presented a copy of Eversheds' final report arising from the local investigation in respect of an allegation by Parish Councillor John Stephenson that Parish Councillor Marilyn Westley may have failed to comply with Halsall Parish Council's Code of Conduct.

Robin Mosley attended and drew to members' attention to the detail of the report and submitted further correspondence for the committees' consideration.

- RESOLVED
1. That the Committee accepts the Investigating Officer's finding that the Councillor has not failed to comply with the Code of Conduct for Members as set out in the allegation.
  2. That the reasons for the finding are that on the facts found there has been no breach of the code.
  3. That in relation to the Investigating Officer's recommendations to the Parish Council, these be endorsed as follows and the Parish Council be asked to consider:
    - (a) training for all Members regarding their roles and responsibilities and standards expected of them as Members of Halsall Parish Council, including respect for the Chairman in managing meetings;
    - (b) a review of all the procedures and rules of the Parish Council and the drafting of an appropriate scheme of delegation of functions to ensure that the Parish can operate effectively on a day-to-day basis and that they present good practice;

- (c) training for all Members in relation to approval of expenses and the correct procedures for expending money with reference to any current or revised Financial Regulations, Procedure Rules and Scheme of Delegation;
  - (d) training for all Members in relation to dealings with employees; and
4. That the Council Secretary and Solicitor look at whether it would be possible for the Council to organise and fund constitutional training for all Parish Councils.

(Note: Councillor Grant, Parish Councillor Kitson and Independent Member Roger Merry, left the room whilst this item was under consideration and took no part in the debate.)

## **20. STANDARDS BOARD DECISIONS - VARIOUS**

The Committee considered the report of the Council Secretary and Solicitor which provided details of the decisions taken by the Standards Board for England in relation to SBE 4339.03 – Parish Councillor Lesley Standish-Gore (ref 70), SBE 6815.04 – former Parish Councillor Alistair MacAulay (ref 54) and SBE 8566.04 – Parish Councillor Paul Sergeant (ref 66).

RESOLVED That the content of the report and the following comments be noted:

- 1. that the reports were too brief with not enough detail;
- 2. that the decisions not to take any action, particularly just because the Member is no longer in office, were inappropriate; and
- 3. that the length of time taken to investigate the complaints was unacceptable.

## **21. CODE OF CONDUCT - MEMBERS' TRAINING - MONITORING**

The Committee considered the report of the Council Secretary and Solicitor in respect of how members should be trained in the requirements of the Code of Conduct and to evaluate the effectiveness of the training undertaken to date.

- RESOLVED
- 1. That the training undertaken and the evaluation be noted.
  - 2. That given the success and content of the training to date the next Seminar on the Code of Conduct be held on a date to be agreed by the Council Secretary and Solicitor in consultation with the Chairman of the Standards Committee.

**22. FEEDBACK FROM FOURTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**

The Committee considered the report of the Council Secretary and Solicitor which provided a summary of the Fourth Annual Assembly of Standards Committees.

The Council Secretary and Solicitor advised members of the Committee that she had received a consultation document entitled 'Code for Standard of Conduct in English Local Government – The future', raised at the Conference, and made copies available for comment.

- RESOLVED
1. That the contents of the report be noted.
  2. That any comments on the consultation document 'The Code for Standards of Conduct in English Local Government – The Future' be forwarded to the Council Secretary and Solicitor.
  3. That the Council Secretary and Solicitor in consultation with the Standards Committee Chairman, respond to the document.

**23. PLANNING APPLICATIONS - MEMBERS' RIGHTS TO SPEAK**

The Committee considered an item raised by Councillor Dereli in respect of the principal of Members' rights to speak at Planning Committee when they had been consulted on a particular planning application and a discussion followed.

The Council Secretary and Solicitor advised that she understood that issues such as these were being considered in the current review.

- RESOLVED            That the issue and comments raised be noted.

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THE CHAIRMAN