

DECLARATION OF INTEREST --- CHECKLIST FOR ASSISTANCE OF MEMBERS

Name: Councillor

Cabinet/Council/Committee:

Date:

Item No:

Item Title:

A Member with a personal interest must disclose the existence and nature of that interest.

A Member with a prejudicial interest must withdraw, must not exercise executive functions in relation to the matter and must not seek to improperly influence a decision.

Please tick relevant boxes

Notes

	General (not at overview & scrutiny)		
1.	I have a personal interest in the matter but it is not prejudicial.		<i>You may speak and vote</i>
2.	I have a personal interest in the matter and it is prejudicial.		<i>You cannot speak or vote and must withdraw unless you have also ticked 3(a) (b) (c) (d) (e) (f) (g) or 4 below</i>
3.	I regard myself as <u>not</u> having a prejudicial interest* in the matter as it relates to:-		
(a)	another Relevant Authority of which I am a Member;		<i>You may speak and vote</i>
(b)	another Public Authority in which I hold a position of general control or management;		<i>You may speak and vote</i>
(c)	a body to which I have been appointed or nominated by the Council as its representative;		<i>You may speak and vote</i>

* Please note you should not automatically regard yourself as not having a prejudicial interest in the circumstances described at (a) to (c). It may be inappropriate to take advantage of this exemption eg where there is a clear conflict of interest such as in commercial negotiations with a Parish Council or where the decision will affect the business of the body in question eg future closure or grants

(d)	the Housing functions of the Council where I hold a tenancy or lease with the Council, and I do not have arrears of rent of more than 2 months and those functions do not relate particularly to my tenancy or lease.		<i>You may speak and vote</i>
(e)	the functions of the Council in respect of school meals, transport and travelling where I am a guardian or parent of a child in full time education and it does not relate particularly to the school which the child attends.		<i>You may speak and vote</i>
(f)	Statutory sick pay where I am in receipt of such pay from the Council.		<i>You may speak and vote</i>
(g)	Members Allowances		<i>You may speak and vote</i>
4.	A Standards Committee dispensation applies.		<i>See the terms of the dispensation</i>

“Personal Interest” means

The matter relates to your entries in the Register of Interests,
or

A decision upon the matter might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of the Council's area, the well-being or financial position of yourself, a relative or a friend or :-

- (a) any employment or business carried on by such a person;
- (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are Directors;
- (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
- (d) any body listed under the definition of body below in which such persons hold a position of general control or management.

“relative” means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the proceeding persons; and “partner” means a member of a couple who live together.

“Prejudicial Interest” means

The interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

“Relevant Authority” See section 49 (6) of the Local Government Act 2000 e.g. County and Parish Councils.

“Public Authority” advice is awaited from DTLR, it would include a health trust, a health authority, the governing body of a school.

“Body” here means

- (a) a body to which you have been appointed or nominated by the Council as its representative;
- (b) a public authority or body exercising functions of a public nature;
- (c) a company, industrial and provident society, charity, or body directed to charitable purposes;
- (d) a body whose principal purpose includes the influence of public opinion or policy;
- (e) a trade union or professional association.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

STANDARDS COMMITTEE

HELD: 27 FEBRUARY 2007

Start: 4.30pm

Finish: 5.35pm

PRESENT

Independent Members: Mr. J. Cailles (Chairman)
Mr. Hanmer (Vice Chairman)
R Chester
R Merry
B Molyneux

Councillors Mrs Atherley
Dereli
Grant
Nolan

Parish Councillors M Hammond

Officers: Council Secretary & Solicitor
Assistant Member Services Manager

23. APOLOGIES

An apology for absence was received on behalf of Parish Councillor David Kitson.

24. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

The Chairman identified the following items of urgent business :

1. The Standards Board for England – Roadshow 07

The Council Secretary and Solicitor advised members that the Standards Board for England were running eleven roadshow events at various locations across the country and that the nearest event was being held in Liverpool on 6 June 2007.

RESOLVED That the Council Secretary and Solicitor reserve four places for West Lancashire District Council to attend the Roadshow at Liverpool on 6 June 2007.

2. County Council Joint Working

The Council Secretary and Solicitor advised members that the Local Government and Public Involvement in Health Bill included provisions for a more locally-based conduct regime, with more responsibilities for Standards Committees and the Standards Board acting as a light touch regulator. She further advised that an invitation was likely to be received from the County Council to be involved in joint working on standards issues.

RESOLVED That the Council Secretary and Solicitor, in consultation with the Chairman, be given delegated authority to progress this matter.

3. North West Independent Members Forum

The Chairman advised that he had received a further request from Wigan Council inviting Independent Members to join the North West Independent Members Forum and sought views from Members of the Committee.

Comments were received in respect of the following:

- That the forum would be useful to obtain a broader view.
- That members should be proactive in the field of standards.
- That the Forum should not be limited to just Independent Members.
- The additional benefits of being members of the Forum.

RESOLVED That the Council Secretary and Solicitor be requested to contact Wigan Council to obtain information on previous agenda items considered by the Forum and the membership, and submit a report to a future meeting of the Committee as part of joint working on standards issues.

25. DECLARATIONS OF INTEREST

There were no declarations of interest.

26. MINUTES

RESOLVED That the minutes of the meeting of the Standards Committee held on 1 November 2006 be received as a correct record and signed by the Chairman.

27. CONSULTATION ON AMENDMENTS TO THE MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS

The Committee considered the report of the Council Secretary and Solicitor which sought a response in relation to the consultation exercise by the Department for Communities and Local Government on proposed amendments to the Model Code of Conduct for Members. The report went on to outline the proposed amendments to the Model Code, together with the questions posed in the consultation paper and to advise that Council would consider the report on 28 February 2007.

The Council Secretary and Solicitor referred to appendix 2 of the report which was a draft response to the consultation paper she also advised that Parish Councillor Kitson's views on the response had been sent to her via an e-mail.

RESOLVED A. That the report be noted.

- B. That Council be recommended to authorise the Council Secretary and Solicitor to respond to the Consultation Paper as detailed in appendix 2 to the report subject to including the following additional points:

- a definition of 'sensitive information' needs to be included.
- Members have a concern regarding the restrictive approach to behaviour outside official duties being limited to criminal convictions in that current Police Policy encourages cautioning and conditional cautioning.

THE CHAIRMAN