

DECLARATION OF INTEREST - CHECKLIST FOR ASSISTANCE OF MEMBERS – 2007

Name: Councillor

Cabinet/Council/Committee:

Date:

Item No:

Item Title:

Nature of Interest:

A Member with a personal interest in any business of the Council must disclose the existence and nature of that interest at commencement or when interest apparent except:

- Where it relates to or is likely to affect a person described in 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose the existence and nature when you address the meeting on that business.
- Where it is a personal interest of the type mentioned in 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- Where sensitive information relating to it is not registered in the register, you must indicate that you have a personal interest, but need not disclose the sensitive information.

A Member with a prejudicial interest must withdraw, **either** immediately after making representations, answering questions or giving evidence where 4 below applies **or** when business is considered and must not exercise executive functions in relation to that business and must not seek to improperly influence a decision.

Please tick relevant boxes

Notes

	General (not at overview & scrutiny)		Notes
1.	I have a personal interest* but it is not prejudicial.	<input type="checkbox"/>	<i>You may speak and vote</i>
2.	I have a personal interest* but do <u>not</u> have a prejudicial interest in the business as it relates to the functions of my Council in respect of:		
(i)	Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.	<input type="checkbox"/>	<i>You may speak and vote</i>
(ii)	school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.	<input type="checkbox"/>	<i>You may speak and vote</i>
(iii)	Statutory sick pay where I am in receipt or entitled to receipt of such pay.	<input type="checkbox"/>	<i>You may speak and vote</i>
(iv)	An allowance, payment or indemnity given to Members	<input type="checkbox"/>	<i>You may speak and vote</i>
(v)	Any ceremonial honour given to Members	<input type="checkbox"/>	<i>You may speak and vote</i>
(vi)	Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a personal interest* and it is prejudicial because it affects my financial position or the financial position of a person or body described in 8 overleaf and 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 my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 8 overleaf and 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 my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 4 or 5 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 4 or 5 below</i>

4.	I have a personal and prejudicial interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>
5.	A Standards Committee dispensation applies.	<input type="checkbox"/>	<i>See the terms of the dispensation</i>

* **“Personal Interest”** in the business of the Council means either it relates to or is likely to affect:

- 8(1)(a)(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body -
- (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) any employment or business carried on by you;
- (iv) any person or body who employs or has appointed you;
- (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
- (vi) any person or body who has a place of business or land in your authority’s area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
- (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
- (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
- (ix) any land in your authority’s area in which you have a beneficial interest;
- (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
- (xi) any land in the authority’s area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer.

or

A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

“a relevant person” means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body 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 person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 8(1)(a)(i) or (ii).

“body exercising functions of a public nature” means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

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.

NB Section 21(13)(b) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

STANDARDS COMMITTEE

HELD: 12 JUNE 2008
Start: 4.30pm
Finish: 5.55pm

PRESENT:

Independent Members: J Cailes (Chairman)
P Hanmer (Vice Chairman)
R Chester
P Hayman
R Patterson

Councillors: Mrs Atherley
Rice
G M Roberts
Whitby

Parish Councillors: Cheetham
Hammond
Kitson

Officers: Council Secretary and Solicitor
Assistant Member Services Manager

1 APOLOGIES

There were no apologies for absence.

The Chairman welcomed Councillors G M Roberts, Rice and Whitby and Parish Councillor Cheetham to the committee and thanked Councillors Dereli and Grant for their contribution as they were no longer members.

2 URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 MINUTES

RESOLVED: That the minutes of the Standards Committee held on 22 April 2008 be approved as a correct record and signed by the Chairman.

5 STANDARDS COMMITTEE - MEMBERSHIP AND APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

The Committee considered the report of the Council Secretary and Solicitor, previously submitted to Council on 21 May 2008, which set out the membership of the Standards Committee and appointed the Chairman and Vice Chairman for 2008/9.

The Committee was advised that Council on 21 May 2008 had agreed the following:

- 1 That the number of Parish Council representatives be increased by one and the Standards Committee therefore comprise of 12 members, namely 5 independent members, 3 Parish representatives, 2 Conservative and 2 Labour members.
- 2 That John Cailes be appointed to serve for a further four year term as an independent member on the Standards Committee until the date of the Annual Meeting of the Council in May 2012.
- 3 That Parish Councillors David Kitson, Michael Hammond and Andrew Cheetham be appointed to serve for a four year term as the Parish Council representatives on the Standards Committee until the date of the Annual Meeting of the Council in May 2012, in accordance with Standards Board advice and the Parish Councils be advised accordingly.
- 4 That the appointment of all other members of the Standards Committee be as indicated on the appendix circulated at Council namely:

Extract from Appendix

(12 Members - 2 Con 2 Lab plus 5 independent members and 3 parish representatives) – (Political balance does not apply).

Independent/Co-opted
members:

Mr J Cailes (2012) (Chairman)

Mr P Hanmer (2009) (Vice-Chairman)

Professor R. Chester (2010), Dr Peter Hayman (2010) and R. Patterson (2011)

Conservative:

Councillors Mrs. Atherley and G.M. Roberts.

Labour:

Councillors Rice and Whitby

Parish
Representatives:

Parish Councillor Cheetham (2012)

Parish Councillor Hammond (2012)

Parish Councillor Kitson (2012)

Must have at least 2 Councillors, may not include the Leader, no more than one Member who is a Member of the Cabinet can be on it, 25% must be independent of the Council, Chairman must be Independent. Must have at least 2 Parish representatives.

- 5 That the Council Secretary and Solicitor be given authority, in consultation with the Chairman of the Standards Committee, to put in place proper procedures, as referred to in paragraph 5.5 of this Report, to appoint independent members from another authority on a temporary basis should the need ever arise.

- 6 That the Council Secretary and Solicitor, in consultation with the Chairman of the Standards Committee, be given authority in an emergency, to appoint a Parish representative on a temporary basis, in the first instance by going to other nominees on the list, and to advise the Parish Councils of this.
- 7 That John Cales and Paul Hanmer be appointed as Chairman and Vice-Chairman respectively for the period ending with the next Annual Meeting of the Council.

RESOLVED: That the report and the resolution of Council be noted and endorsed.

6 STANDARDS COMMITTEE AND STANDARDS SUB COMMITTEES

The Committee considered the report of the Council Secretary and Solicitor which outlined changes in the role of the Standards Committee arising from the Local Government and Public Involvement in Health Act 2007, whereby the Committee from 8 May 2008 has responsibility for assessing and reviewing complaints against members of the District and Parish Councils. The report detailed the revised terms of reference for the Standards Committee and its existing Sub-Committee and sought to create new Sub-Committees with appropriate Terms of Reference including a suggestion for the establishment of a Recruitment of Independent Members Panel to assist in the appointment of independent members to serve on the Standards Committee.

The Committee was advised that Council on 21 May 2008 had agreed the recommendations.

- RESOLVED :
- A That the revised Terms of Reference and authority for the Standards Committee and the Local Determination/Investigation Hearings Sub-Committee set out in Appendix 2 to the report be agreed.
 - B That an Assessment Sub-Committee and a Review Sub-Committee be established by the Standards Committee comprising 3 Members selected by the Council Secretary and Solicitor in consultation with the Chairman of the Standards Committee, each with Independent Chairmen and with the Terms of Reference and authority set out in Appendix 2. Each Sub-Committee to have one elected Member and at least one Parish Representative when a Parish Council matter is being considered.
 - C That a Recruitment of Independent Members Panel be established by the Standards Committee comprising 3 Members selected by the Council Secretary and Solicitor in consultation with the Chairman of the Standards Committee with the Terms of Reference and authority set out in Appendix 2 to the report.

7 PUBLICATION OF ADDRESS TO WHICH WRITTEN ALLEGATIONS SHOULD BE SENT

The Committee considered the report of the Council Secretary and Solicitor that sought to agree the manner in which details of the address to which written allegations of breach of the Code of Conduct under section 57A(1) of the Local Government Act 2000 should be sent.

- RESOLVED: A That the action taken by the Council Secretary and Solicitor as set out in paragraph 4.0 of the report be noted and endorsed.
- B That the Council Secretary and Solicitor be given authority to take reasonable steps to ensure that the details published under Regulation 10(1) continue to be brought to the attention of the public and that any changes to those details are promptly published.
- C That the Council Secretary and Solicitor explore if it would be appropriate to include details in the Citizens Guide of the Standards Committee and how to make complaints about Members under the Code of Conduct.

8 PROCEDURE FOR THE INITIAL ASSESSMENT OF WRITTEN COMPLAINTS OF BREACH OF THE CODE OF CONDUCT INCLUDING ASSESSMENT CRITERIA

The Committee considered the report of the Council Secretary and Solicitor together with an updated draft of the procedures to be followed in respect of written complaints of breach of the Code of Conduct received under Section 57A(1) of the Local Government Act 2000 (the Act) which included the Assessment Criteria and relevant documentation and sought approval of the method of publication of the same.

- RESOLVED: A That the procedure to be followed in respect of written complaints of breach of the Code of Conduct received under Section 57A(1) of the Act be as circulated as Appendix 1 to the report, and the assessment criteria and documentation contained therein be approved, subject to the deadline for complaints being reduced to 3 months and the other minor amendments then identified.
- B That these procedures be published as required by Regulation 10(3) by putting them on the Council's website and having copies available on request.
- C That the Council Secretary and Solicitor update the procedures and develop the standard documentation as required.

9 NEW DECLARATION OF INTEREST - CHECKLIST FOR ASSISTANCE OF MEMBERS 2007

The Committee considered the revised Declaration of Interest Checklists which the Council Secretary and Solicitor had prepared in accordance with the 2007 Code of Conduct, for the assistance of Members and drew particular attention in relation to the overview and scrutiny provisions.

RESOLVED: That the checklists for meetings be noted and endorsed.

THE CHAIRMAN

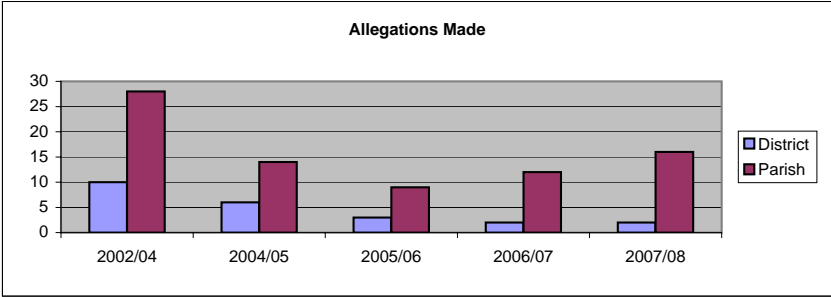
West Lancashire District Council

Annual Analysis of Complaints to the Standards Board

2002 - 08/05/2008

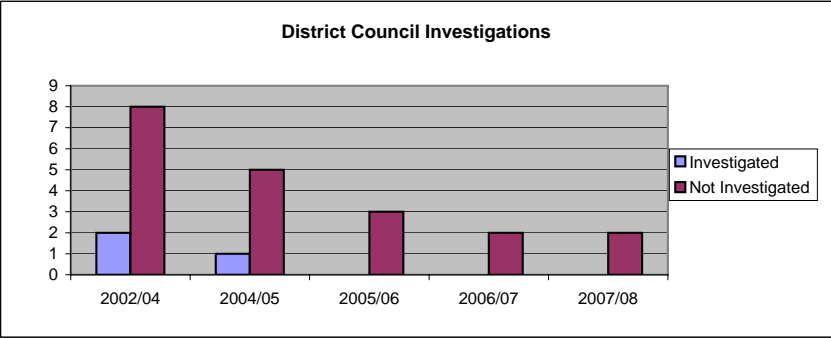
Allegations Made

	District	Parish
2002/04	10	28
2004/05	6	14
2005/06	3	9
2006/07	2	12
2007/08	2	16
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	23	79



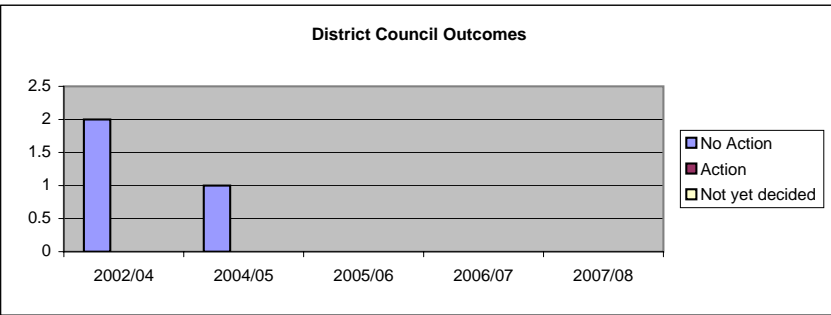
District Council Investigations

	Investigated	Not Investigated
2002/04	2	8
2004/05	1	5
2005/06	0	3
2006/07	0	2
2007/08	0	2
	<hr/>	<hr/>
	3	20



District Council Outcomes

	No Action	Action	Not Yet Decided
2002/04	2	0	0
2004/05	1	0	0
2005/06	0	0	0
2006/07	0	0	0
2007/08	0	0	0
	<hr/>	<hr/>	<hr/>
	3	0	0



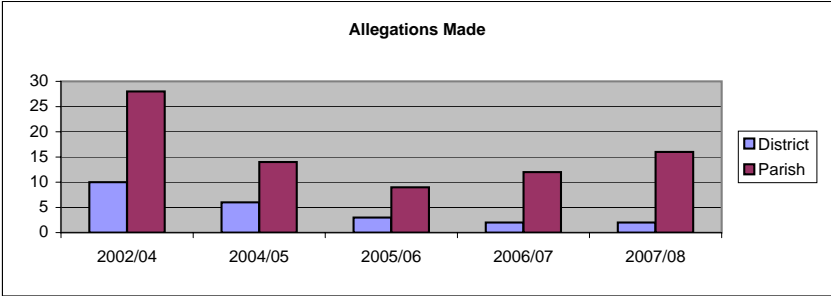
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2002 - 08/05/2008

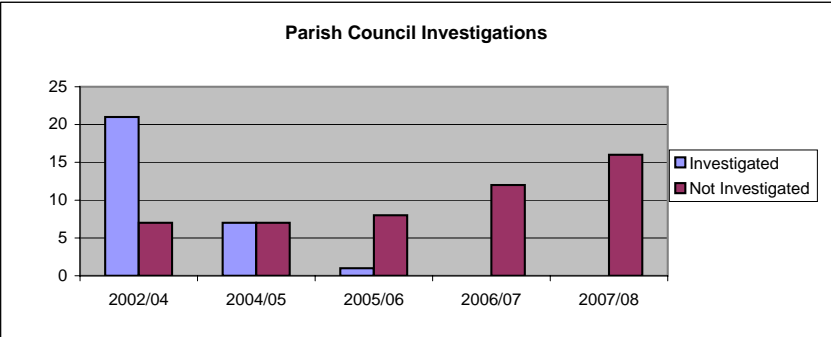
Allegations Made

	District	Parish
2002/04	10	28
2004/05	6	14
2005/06	3	9
2006/07	2	12
2007/08	2	16
	<hr/>	<hr/>
	23	79



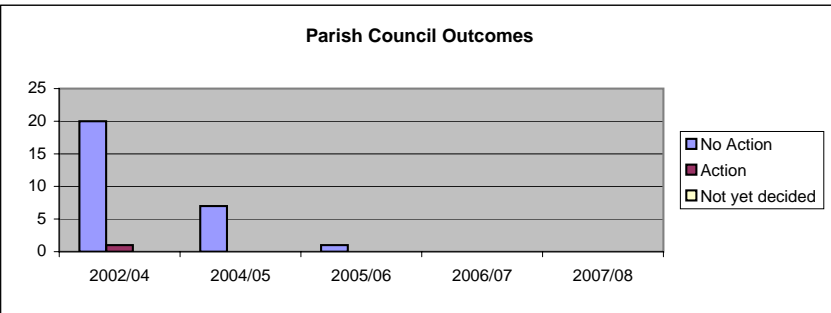
Parish Council Investigations

	Investigated	Not Investigated
2002/04	21	7
2004/05	7	7
2005/06	1	8
2006/07	0	12
2007/08	0	16
	<hr/>	<hr/>
	29	50



Parish Council Outcomes

	No Action	Action	Not Yet Decided
2002/04	20	1	0
2004/05	7	0	0
2005/06	1	0	0
2006/07	0	0	0
2007/08	0	0	0
	<hr/>	<hr/>	<hr/>
	28	1	0





AGENDA ITEM: 7

**STANDARDS COMMITTEE:
22 JULY 2008**

Report of: Council Secretary and Solicitor

**Contact for further information: Mrs G L Rowe (Ext 5004)
(E-mail: gill.rowe@westlancsdc.gov.uk)**

**SUBJECT: PROCEDURE FOR THE INITIAL ASSESSMENT OF WRITTEN
COMPLAINTS OF BREACH OF THE CODE OF CONDUCT INCLUDING
ASSESSMENT CRITERIA**

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To agree the final version of the procedures to be followed in respect of written complaints of breach of the Code of Conduct received under Section 57A(1) of the Local Government Act 2000 (the Act) together with the Assessment Criteria.

2.0 RECOMMENDATIONS

2.1 That the updated procedure to be followed in respect of written complaints of breach of the Code of Conduct received under Section 57A(1) of the Act be as attached at Appendix 1, and the assessment criteria and documentation contained therein be approved.

2.2 That these procedures be published as required by Regulation 10(3) by putting them on the Council's website and having copies available on request.

2.3 That the Council Secretary and Solicitor update and develop the standard documentation as required.

3.0 BACKGROUND

3.1 Members are aware from earlier reports of the changes brought about in the ethical framework from 8 May 2008. Anyone who considers that a Member may have breached the Code of Conduct may make a complaint to the Standards Committee. Each complaint must then be assessed to see if it falls within the

Council's legal jurisdiction. A decision must then be made on whether some action should be taken, either an investigation or some other form of action.

- 3.2 When a matter is referred for investigation or other action it does not mean that the Committee assessing the complaint has made up its mind about the allegation. It simply means that the Committee believes the alleged conduct, if proven, may amount to a failure to comply with the Code and that some action should be taken in response to the complaint.

4.0 PROPOSALS

- 4.1 The process for dealing with matters at a local level will be the same for all Members and will be fair and must be seen to be fair. As Members are aware the assessment of complaints is a new function for Standards Committees. It was previously undertaken centrally by the Standards Board for England.
- 4.2 The Standards Committee (England) Regulations 2008 set out the framework for the operation of a locally based system for the assessment, referral, investigation and hearing of complaints of Members' misconduct. Under the Regulations the Standards Committee must take the Guidance issued by the Standards Board into account and this has been done in developing proposals for you. Future Regulations on joint working are planned.

5.0 PROCEDURES TO BE FOLLOWED

- 5.1 Members considered at their last meeting the Procedure for the Initial Assessment of written complaints of breach of the Code of Conduct received under Section 57A(1) of the Local Government Act 2000 and an updated copy is attached at Appendix 1. This copy brings in the 3 month general rule that the Committee preferred at the last meeting, together with other minor updates to improve the drafting and also reflect further updates to Guidance issued by the Standards Board. The Procedure now also deals with the process for handling Reviews.
- 5.2 I have added a provision at 4.3 on page 3 to deal with the issue I raised last time of having to have a Consideration Sub-Committee in addition to the 3 Sub-Committees already created.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no sustainability/community strategy implications arising from this report.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 Substantial officer and Member time has been taken in preparing these procedures and standard documentation.

8.0 RISK ASSESSMENT

8.1 It is essential that appropriate procedures and documentation are prepared to comply with the relevant legislation and guidance.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendix

Appendix 1 – Procedure for the Initial Assessment of Complaints of Breach of the Code of Conduct under Section 57A(1) of the Local Government Act 2000 including Referral Criteria (TO FOLLOW)

StdsCtteeInitialAssessment



AGENDA ITEM: 8

STANDARDS COMMITTEE: 22 July 2008

Report of: Council Secretary and Solicitor

Contact for further information: Mrs G Rowe (Extn 5004)

(E-mail: gill.rowe@westlancsdc.gov.uk)

SUBJECT: CODE OF CONDUCT – MEMBERS’ TRAINING - MONITORING

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To consider further how Members should be trained in the requirements of the Code of Conduct and evaluate the effectiveness of the training undertaken to date.

2.0 RECOMMENDATION TO STANDARDS COMMITTEE

2.1 That the training undertaken and the evaluation of it be noted

2.2 That a Seminar/Workshop on the Code of Conduct, for all District and Parish Councillors, be held in October 2008. This to comprise a presentation followed by case studies in Workshop format, at a venue to be selected by the Council Secretary and Solicitor in consultation with the Chairman of the Committee.

2.3 That training is provided to Standards Committee Members on the initial assessment, review and hearing processes as and when complaints are received.

3.0 BACKGROUND

3.1 One of the key roles of the Standards Committee is to ensure that Members are properly trained in the requirements of the Code of Conduct. Section 54 of the Local Government Act 2000 says the Committee is responsible for:

- (a) promoting and maintaining high standards of conduct by the Members and co-opted Members of the Authority;

- (b) assisting Members and co-opted Members of the Authority to observe the Authority's Code of Conduct;
- (c) monitoring the operation of the Authority's Code of Conduct;
- (d) advising, training or arranging to train Members and co-opted Members of the Authority on matters relating to the Authority's Code of Conduct.

3.2 A report presented to the Committee on 5th February 2002 suggested a training programme for the introduction of the Code. It was noted that it was essential that **all** Members receive training (including co-opted Members). A further report was presented on 25th June 2003 considering future training requirements and evaluating the training conducted to that date. Annual updates on training have been provided to the Committee since then with extra training being included when the revised Code of Conduct was introduced in 2007.

4.0 TRAINING REQUIREMENT

4.1 There seem to be four main aspects to the Code where Members require training:-

- background
- general obligations
- declarations of interest (probably the most complex area)
- the need to notify the Monitoring Officer of financial and other entries in the Register of Interests which now includes gifts and hospitality

4.2 Background

4.2.1 This would cover the national structure for dealing with complaints and include the roles of:-

- the Monitoring Officer
- our Standards Committee
- the Standards Board and the Adjudication Panel

4.3 General Obligations

4.3.1 This would cover:-

- general principles governing conduct (ten principles)
- when the code applies (outside bodies, private life etc)
- the duty of confidentiality
- bringing the authority into disrepute
- taking personal advantage

4.4 Declarations of Interest

4.4.1 Historically, the most difficult area for Members has been to understand when interests need to be declared, and, in particular, to recognise what type of interest is involved.

4.4.2 This will include:-

- when does the duty to disclose arise? How much detail must be given?
- what is a personal interest?
- when does a personal interest become prejudicial?
- when do you have to leave a meeting?
- the different rules for Cabinet and Overview and Scrutiny
- how/when to apply for a dispensation

4.5 **The Register of Members' Personal Interests**

4.5.1 This will cover:-

- what has to be declared to the Monitoring Officer
- when it has to be done
- rights of public inspection

4.6 **Equality Enactments**

4.6.1 Separate training on equalities is organised via Human Resources.

5.0 **DELIVERY OF TRAINING**

5.1 The first training on the Code was delivered using North West Employers and comprised 2 seminars with Workshop Sessions held in February and April 2002, with a refresher workshop on the 8th July 2002. The training was well received, particularly the April session at the Skelmersdale Arts Centre at which there was a good attendance from Parish Councils.

5.2 A further seminar/workshop session was held at Ormskirk School on Thursday the 20 November 2003. The seminar was delivered using North West Employers and the workshop session was organised "in house" using cases from the Standards Board website. Feedback was extremely positive with requests being made for longer workshop sessions.

5.3 New Councillors were introduced to the Code at the Induction Sessions held in May 2003, June 2004 and have been each May since except when there is no District Council election, latterly on 8 May 2008. Courses entitled "Ethics and Standards" run by North West Employers in Manchester to complement this training have also been attended.

5.4 The induction training briefly refers to the Planning Protocol (on which there was specific training on 7 October 2003 and 15 July 2004 and on which there has continued to be separate training) and the Protocol on Member/Officer Relations, as local guidance supporting but not forming part of the Code. A Protocol in relation to Members Interests and LSVT was the subject of detailed briefings by Trowers and Hamblins Solicitors in December 2004/January 2005 but is no longer relevant.

5.5 I understand from the Human Resources Manager that training has been undertaken in Diversity, Race, Impact Assessments, Background to the Race Relations Amendment Act and Equality issues.

- 5.6 The Standards Committee, at its meeting on 28th April 2004, gave consideration to training for both Standards Committee Members and for training for all Members, Co-opted Members and Parish Councillors and Clerks on the Code. Training sessions specifically for Standards Committee Members were held in July and August 2004 on the Code and local determination. Standards Committee Members have continued to attend Standards Board Roadshows and the Lancashire Standards Conference as well as the training for all Members.
- 5.7 Members agreed in 2004 that a full session for all District and Parish Councillors should be arranged for the Autumn following the format successfully adopted in previous years. A further Seminar/Workshop session was held at Hale Hall, Edge Hill on Wednesday, 24 November 2004 at 7.30 pm and over 80 people attended.
- 5.8 Members agreed that they wished to continue to organise the Seminar/Workshop Session on the Code of Conduct as an annual event. I was fortunate to secure the services of Peter Keith-Lucas of Bevan Brittan, Solicitors, an acknowledged expert on the Code to Conduct to present the 2005 Seminar on a cold windy night at Edge Hill. Members of the Standards Committee who attended the session at Wyre were very complimentary about the course he presented on that occasion and his presentation on Thursday, 24 November 2005 entitled 'The Code in Practice' was excellent. This has enabled us to move the training session we offer each year, on from that presented for a number of years by North West Employers. I feel that this has been a very successful approach and this was supported by the feedback forms, the only critical comment on that occasion being that perhaps the presentation was ¼/½ hour too long.
- 5.9 Due to the imminence of the New Code of Conduct we moved the Annual Seminar/Workshop to 29 March in 2007. The Seminar was presented by Graeme Creer of Weightmans Solicitors and he made an informative presentation which as the New Code was unfortunately only published on 4 April 2007 had, of necessity, to include those issues flagged up in the consultation version. An extremely useful case study session with model answers proved very successful. This format was repeated on 29 November 2007 with an excellent turnout, see the Appendix, at Edge Hill and was well received. Members felt that given recent changes to the code it was appropriate to hold the Annual Seminar/Workshop Session in the Autumn so that the changes could be fully explored and embedded even though a session had been held in the March. A change of venue at Edge Hill was however made due to the difficulties experienced with the PA system and acoustics in Hale Hall.
- 5.10 Standards Committee Members John Cailles, Councillor Una Atherley and Ms. Joan Draper attended the Standards Board Conference in Birmingham on Monday 9th and Tuesday 10th June 2003 and Jacky Denning, Assistant Member Services Manager and myself attended Conference on Monday 13th and Tuesday 14th September 2004. In 2005 Terry Broderick, Legal Services Manager attended and as usual an update on the Conference was discussed at the Committee. Similarly, I and the Member Services Manager, Gary Martin attended the Conference in October 2006. I attended in October 2007 and updated Members accordingly on both occasions. This October Terry Broderick will attend and Members are most welcome to join him.

- 5.11 I issue guidance to Members and Parishes on the Code at regular intervals, either through '7 Days' or by specific letters. The Board's website and the "Case Reviews" provide insight into the interpretation given to the Code by ESOs and the Adjudication Panel.
- 5.12 On receipt of the New Code an updated Training Pack was issued in May 2007 to all Standards Committee Members, District Councillors, Parish Clerks and Parish Councillors in West Lancashire comprising the New Code of Conduct, a set of notes and case studies with model answers. This was followed up with the Pocket Guide and Standards Board Guide on the Code. The Training Pack was then updated again in November 2007 and similarly circulated. A review of the Planning Protocol was undertaken in the context of the New Code and it has been revised and re-issued.
- 5.13 The Standards Committee viewed a DVD available on local investigations and hearings which was useful. The earlier video on the Code having been used by many Members and Parishes.
- 5.14 Members are of course always able to attend external training on the Code should they so wish.

6.0 MONITORING

- 6.1 Details are kept of attendance at training sessions and reported, so the Standards Committee are able to monitor the take up of the training. Details of District and Parish Councillors and Clerks who attended the session on 29 November 2007 are attached as an Appendix.
- 6.2 The success of the training is assessed each year by a customer satisfaction questionnaire after each training event and can be followed up by asking Members if they need further training on certain aspects, or a general "refresher".

7.0 PROPOSALS

- 7.1 I would propose that a further Seminar/Workshop on the Code of Conduct be held in October 2008 with a Presentation followed by Case Studies in workshop format. The venue at Edge Hill was good in terms of the workshop sessions but the sound system issue needs addressing. I also need to factor in the costs of the various venues so would suggest I determine the venue in consultation with the Chairman in due course.
- 7.2 I would also propose that specific training is provided to Standards Committee Members in relation to the initial assessment, review and hearing processes as and when complaints are received.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 The training provided will assist in promoting high ethical Standards which will in turn contribute to achievement of the Community Strategy.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 The costs of providing training on standards is met from existing budget provision.

10.0 RISK ASSESSMENT

10.1 Training needs to be provided to comply with statutory obligations and to ensure Members are fully aware of the requirements placed upon them. This will enable them to avoid being in breach of the Code of Conduct with all the adverse consequences which would necessarily flow. Specific training for Standards Committee Members is provided to enable them to carry out their duties effectively.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Appendices

Appendix – Attendance at Code of Conduct Seminar – 29 November 2007.

ATTENDEES AT THE CODE OF CONDUCT TRAINING ON 29 NOVEMBER 2007

District Councillors:

G.M. Roberts, Aldridge, Ashcroft, Mrs Atherley, Mrs Blake, Mrs Colling, Cotterill, Cropper, Dereli, Mrs Evans, Forshaw, Fowler, Gartside, Grant, Hammond, Hanlon, Jones, Kay, Mrs Keegan, McKay, Mee, Ms Melling, Nolan, O'Toole, M Pendleton, R A Pendleton, A T Rice, J A Roberts, Saxon, Skilling, Vickers, West, Westley, Whitby

Parish Councillors:

(Aughton)	Mrs V Naylor; Clerk – Irene Roberts
(Bickerstaffe)	Arthur Gore, Margaret Sumner, Hilary Rosbotham
(Burscough)	George Pratt, Margaret Craft
(Downholland)	A. Johnson; Dianne Cull; Owen Connolly; Nathan Appleton; Norman Jenkinson; Clerk – Jill Cavan
(Halsall)	Clerk – Ian Davis
(Hesketh with Becconsall)	Christine McLeod; Clerk – Ian Cropper
(Hilldale)	Mrs H Fairhurst
(Lathom)	Julia Davis, Clerk – Irene O'Donnell
(Lathom South)	Diane Ingrey, Rose Halsall, Peter Doyle, Carol Blackledge; Acting Clerk – Parish Councillor R Clayton
(Newburgh)	Jacky Citarella, Alex Sunderland
(North Meols)	Charles Evans
(Parbold)	Ros Wess, Vikki Harray, Sue Raju, Susan Halton
(Scarisbrick)	S Egan; M Forshaw; I Tinsley
(Tarleton)	Josie Stafford
(Wrightington)	James Clinch

Standards Committee Members:

Paul Hanmer, Prof R Chester, Michael Hammond, Dr Peter Hayman, David Kitson, Robert Patterson

Officers:

Gill Rowe, Bob Livermore, Jayne Traverse, John Gardner, Terry Broderick, Matthew Jones, John Birchall, Mike Hynes, Tina Sparrow, Gary Martin, Jacky Denning, Susan Griffiths, Cathryn Jackson, Jill Jones, Julia Roberts, Andrew Lawler

Graeme Creer from Weightman Solicitors



AGENDA ITEM: 9

**STANDARDS COMMITTEE:
22 JULY 2008**

Report of: Council Secretary and Solicitor

**Contact for further information: Mrs Jacky Denning (Extn 5384)
(E-mail: jacky.denning@westlancsdc.gov.uk)**

SUBJECT: VISITS TO DISTRICT PARISH COUNCIL MEETINGS

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To receive an update on visits being undertaken by Members of the Standards Committee to District and Parish Council meetings.

2.0 RECOMMENDATIONS

2.1 That the current position in relation to visits to District and Parish Council meetings as set out in paragraph 4 of the report, be noted and Members give informal feedback in their visits to date.

2.2 That Members of the Committee notify the Assistant Member Services Manager of any future visits they are able to attend as soon as possible.

3.0 BACKGROUND

3.1 The Standards Committee, at its meeting held on 1 November 2006, approved a Work Programme for the year with a view to being proactive in its work and agreed to undertake a series of visits to District and Parish Council meetings.

3.2 It was agreed that Members of the Committee would attend up to four meetings as observers, preferably in pairs, with the intent that this would increase their understanding of the way Councils are operating in West Lancashire and of conduct at meetings and also raise the profile of the Standards Committee. Members would then informally feedback into a general discussion on their visits on an annual basis.

3.3 In April 2008 the Committee agreed its work programme for 2008/09 and resolved that when visits are undertaken by individual members to parish council

meetings, Parish Clerks be asked to supply copies of agendas and minutes of that meeting and they also be advised that these are not formal inspection visits, they are being used as a training tool for members of the committee in order to gain an understanding of how Parish Council meetings are run and to raise the profile of the Standards Committee.

4.0 CURRENT POSITION

4.1 A schedule of meetings has been drawn up, as set out in the Appendix to the report, although co-ordinating visits has been challenging.

4.2 As set out in the schedule, visits to the following Parishes still need to be arranged: Aughton, Great Altcar, Hesketh with Beconsall, Lathom, Lathom South, Newburgh, North Meols, Parbold, Rufford, Scarisbrick, Tarleton, Up Holland and Wrightington.

4.3 Dates of meetings are still awaited from Great Altcar Parish Council.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

5.1 There are no significant sustainability/community strategy implications arising from this report.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 The co-ordination of visits will be resourced from existing budgets.

7.0 RISK ASSESSMENT

7.1 A proactive Standards Committee will ensure high ethical standards are promoted within the Council.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

Schedule of visits to meetings of district and parish council meetings, by Standards Committee Members.

APPENDIX

VISITS UNDERTAKEN / TO BE UNDERTAKEN BY MEMBERS OF THE COMMITTEE

MEMBER	FIRST VISIT	SECOND VISIT	THIRD VISIT	FOURTH VISIT
JOHN CAILES	COUNCIL – 13/12/06	Bickerstaffe 12/11/07		
PAUL HANMER	COUNCIL – 13/12/06	Hilldale 1/11/07	Downholland 13/11/07	Simonswood 6/12/07
ROY CHESTER	O & S – 12/04/07	Dalton 19/11/07		
PETER HAYMAN	Burscough 8/10/07	Halsall 14/11/07		
PARISH CLLR HAMMOND	PLANNING – 15/02/07	Hilldale 1/11/07		
PARISH CLLR KITSON	O & S – 12/04/07	Dalton 19/11/07	Bickerstaffe 12/11/07	
PARISH CLLR CHEETHAM				
CLLR MRS ATHERLEY	Down Holland 13/11/07	Halsall 14/11/07		
CLLR RICE				
CLLR G M ROBERTS				
CLLR WHITBY				

Note:

Parish Councillor Cheetham and Councillors Rice, G M Roberts and Whitby joined the Committee in May 2008.

LIST OF PARISH COUNCIL'S VISITED

PARISH COUNCIL	DATE	STANDARDS COMMITTEE MEMBER
Bickerstaffe	12 November 2007	John Cailes and David Kitson
Burscough	8 October 2007	Peter Hayman
Dalton	19 November 2007	Roy Chester and David Kitson
Down Holland	13 November 2007	Paul Hanmer and Una Atherley
Halsall	14 November 2007	Una Atherley and Peter Hayman
Hilldale	1 November 2007	Paul Hanmer and Mike Hammond
Newburgh	23 January 2008	Ian Grant
Simonswood	6 December 2007	Paul Hanmer

LIST OF DISTRICT COUNCIL MEETINGS VISITED

MEETING	DATE	STANDARDS COMMITTEE MEMBER
Council	13 December 2006	John Cailes and Paul Hanmer
Planning	15 February 2007	Roger Merry and Mike Hammond
Overview & Scrutiny	12 April 2007	Roy Chester and David Kitson

Note:

Councillor Grant and Independent Member Roger Merry are no longer members of the Committee.

DATES OF PARISH COUNCIL MEETINGS 2008/2009

PARISH COUNCIL	July 2008	Aug 2008	Sept 2008	Oct 2008	Nov 2008	Dec 2008	Jan 2009	Feb 2009	March 2009	April 2009
Aughton 7.30pm Aughton Village hall Annexe	14	11	8	13	10	8	12	9	9	TBA
Great Altcar 8.00pm - The Leverhulme Hall, Lord Sefton Way, Great Altcar										
Hesketh with Beconsall 7.30pm Village Hall, Station Road, Hesketh Bank	7		1	6	3	1	5	2	2	6
Lathom 7.30pm Venue alternates between St Cyprians Mission, Hoscar Moss Road, Lathom & Scout Hall, Hall Lane, Lathom	28	25	22	27	24	22	26	23	23	
Lathom South 7.30pm July & Aug 07 Scout Hut, Hall Lane Lathom Sept-Mar 08 Skelmersdale Cricket Club,	29		9	14	11	9	13	10	10	14
North Meols 7.15pm Community and Development & Contact Centre, Hoole Lane Banks.	1		2	7	4	2	6	3	3	
Parbold 7.30pm Parbold Village Hall	4		5	3	7	5	9	6	6	3

PARISH COUNCIL	July 2008	Aug 2008	Sept 2008	Oct 2008	Nov 2008	Dec 2008	Jan 2009	Feb 2009	March 2009	April 2009
Rufford 7.15pm – Planning Applications 7.30pm - Meeting Rufford Village Hall, Flash Lane, Rufford	21		15		17		19		16	20
Scarisbrick 8.00pm Village Hall, Smithy Lane	7	4	1	6	3	1	5	2	2	6
Tarleton 7.30pm Sport & Resource Centre, Carr Lane, Tarleton	21		15	20	17	15	19	16	16	
Up Holland 7.30pm Community Meeting Room, Up Holland Library, Hall Green, Up Holland.	8		9		11		13		10	
Wrightington 7.30pm Alternates between Mossy Lea Village Hall, Mossy Lea Road, Wrightington and Appley Bridge Village Hall, Appley Lane North Appley Bridge	21		15	20	17	15	19	16	16	20