

STANDARDS COMMITTEE

HELD: 10 DECEMBER 2008
Start: 4.00pm
Finish: 4.45pm

PRESENT:

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

Councillors: Mrs Atherley
Rice
G M Roberts

Parish Councillors: Hammond
Kitson

Officers: Council Secretary and Solicitor
Assistant Member Services Manager

19. APOLOGIES

Apologies for Absence were received on behalf of Independent Member Mr P Hayman, Councillor Whitby and Parish Councillor Cheetham.

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

There were no items of urgent business.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

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

23. STANDARDS COMMITTEE COMPLAINTS

The Committee considered the report of the Council Secretary and Solicitor which in Appendix 1 to the report detailed the number of complaints received by the Standards Committee since 8 May 2008, in particular the number of complaints received in respect of Halsall Parish Council. The Committee was advised that 3 further complaints had been received and a further review since preparing the statistics.

RESOLVED: A. That the number of complaints received by the Standards Committee be noted with concern.

B. That the number of reviews requested and investigations required also be noted.

- C. That the Council Secretary and Solicitor bring a report forward on the current position in West Lancashire on Parish Council's achieving 'Quality Parish Council' status, with a view to possibly writing to all Parish Council's regarding obtaining this mark achievement in the context of the high numbers of complaints.

24. CODE OF CONDUCT TRAINING - DISTRICT AND PARISH COUNCILLORS

Members of the Committee provided feedback from the Code of Conduct Training Session held at Edge Hill University on 20 November 2008, in particular:

- attendance levels
- the success of the training session and workshop
- complimentary letters received
- the introductory session by the Chairman of the Committee

The Council Secretary and Solicitor advised that every District and Parish Councillor who had not been able to attend the session had been sent an individual training pack for information.

RESOLVED: That the feedback be noted.

25. CONSULTATION ON CODES OF CONDUCT FOR LOCAL AUTHORITY MEMBERS AND EMPLOYEES

The Committee considered the report of the Council Secretary and Solicitor which provided a draft response to the consultation paper from the Department for Communities and Local Government on revising the model code of conduct for local authority members, the general principles which govern the conduct of local authority members and on the introduction of a requirement for a code of conduct for employees.

The Council Secretary and Solicitor advised Members that the report was also being submitted to Council on 17 December 2008.

RESOLVED: That the response, attached at Appendix 2 to the report, be sent to the Department for Communities and Local Government by Wednesday, 24 December 2008 subject to the inclusion of the following paragraph at Question 9:

"Yes, two months is consistent with existing statutory provisions and we do not see any difficulty in this; although there may be no need to 're-impose' this requirement if the existing declarations can be interpreted to include revisions to the Code of Conduct for Members. Accordingly, the Government should avoid a 'fresh' round of signatures when existing ones are sufficient for such purposes."

26. CODE OF CONDUCT INVESTIGATION, DETERMINATION, PRE-HEARING AND HEARING PROCEDURES

The Committee considered the report of the Council Secretary and Solicitor which set out the Investigation, Determination, Pre-Hearing and Hearing Procedures to apply where the Assessment Sub-Committee has referred a complaint of alleged breach of the Code of Conduct for investigation. The Council Secretary and Solicitor submitted an amendment to paragraph 6 of the investigation procedure.

RESOLVED: That the Investigation Procedure (as amended), the Determination, Pre-Hearing and Hearing Procedures attached at Appendices 1 - 4 to the report be approved and the Council Secretary and Solicitor, in consultation with the Chairman of the Standards Committee be given delegated authority to update them as required.

27. LOCAL DETERMINATION - COMPLAINTS FORM

The Council Secretary and Solicitor referred to the very high number of complaints received in respect of District and Parish Councillors under the Code of Conduct and sought the views of Members on the inclusion of the following paragraph on the Complaints Form should the number of complaints continue to rise at that level, as follows:

“Whilst not wishing to deter complaints please be aware that the costs of handling complaints are substantial and borne by Council Taxpayers in West Lancs. You are urged to balance the seriousness of your complaint and the costs aspect in the public interest before submitting your complaint. The Assessment Sub-Committee will bear this factor in mind when deciding whether to take action on a complaint.”

The Council Secretary and Solicitor was however concerned that it could be seen as dissuading members of the public from making genuine complaints.

RESOLVED: A. That the inclusion of the paragraph be considered in six months and if at that time members wish to go down this route the Council Secretary and Solicitor contact the Standards Board for their view as to whether it would be appropriate to include such a paragraph on the complaints form.

28. MINUTES OF SUB-COMMITTEES

The Committee considered the minutes of the Assessment Sub-Committee meetings held on 15 and 17 September, 2 and 9 October, 5 November and 1 December 2008 and the Review Sub-Committee meetings held on 21 and 25 November 2008.

RESOLVED: That the minutes of the meetings be noted.

29. VISITS - PARISH AND DISTRICT COUNCIL MEETINGS

The Committee considered the report of the Council Secretary and Solicitor which provided an update on visits being undertaken by Members of the Standards Committee to District and Parish meetings.

- RESOLVED: A. 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.
- B. That Members notify the Assistant Member Services Manager of any future meetings they are able to attend.

30. WORK PROGRAMME

The Committee considered the updated work programme for the Standards Committee 2009/10, as contained on pages 165 to 166 of the Book of Reports.

RESOLVED: That the work programme for 2009/10 be approved.

THE CHAIRMAN

(a)



Composition of standards committees

The following statistics were compiled from data submitted on quarterly return forms, covering the period 8 May to 30 September 2008.

Size of standards committees	Number of members (Q1)	Number of members (Q 2)
Largest standards committee	18	20
Smallest standards committee	3	3
Average size of a standards committee	9	10
Average number of independent members	3	4
Average number of parish representatives (for authorities with parishes)	3	3

Independent members	Number (Q1)	Number (Q2)
Most independent members	9	9
Least independent members	1	1
Average number of independent members	3	4

Parish representatives	Number (Q1)	Number (Q2)
Returns from authorities with parishes	244	244
Most parishes in an authority	189	189
Fewest parishes in an authority	1	1
Average number of parishes per authority	33	33
Average number of parish representatives on standards committees	3	3
Most parish representatives	7	8
Fewest parish representatives	1	1

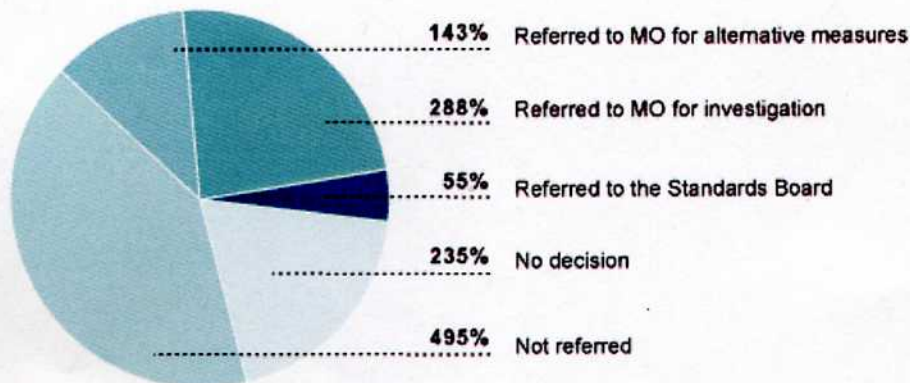
- 3 authorities reported that they do not have an independent chair
- 2 authorities reported that their standards committee is made up entirely of independent members
- All authorities with parishes have parish representation on their standards committee

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Referral decisions

The following statistics were compiled from data submitted on quarterly return forms, covering the period 8 May to 30 September 2008.

A decision about whether to refer had not been made on 235 (19%) of cases received so far. The breakdown of decisions for the other 982 cases is as follows:



There was one request for a review of a referral decision during the quarter.

Timeliness of decisions

The guidance indicates that it should take, on average, 20 working days from receipt of a complaint to a referral decision being made.

- So far, the average length of time a case takes from date of receipt to referral decision is 20 working days.
- However, 282 cases took longer than 20 days for a referral decision to be made (23%)

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Quarterly return submission statistics

The following statistics were compiled from data submitted on quarterly return forms, covering the period 8 May to 30 September 2008.

We are pleased to report that 100% of authorities accessed the quarterly return form and submitted information to us for Quarter 2. Returns for 97% of authorities were completed without any errors.

This is an impressive return rate, considering that it is only the second round of quarterly returns, using a brand new system. It means that we have a good quality set of data to analyse and to help us begin to form a picture of how local case handling is bedding in. Thank you to all monitoring officers who submitted returns.

Quarterly return submission statistics	Number	%	Number	%
Number of authorities a return was requested from	473	N/A	473	N/A
Number of returns submitted	464	98%	473	100%
Returns that were complete and did not contain any errors	427	90%	458	97%

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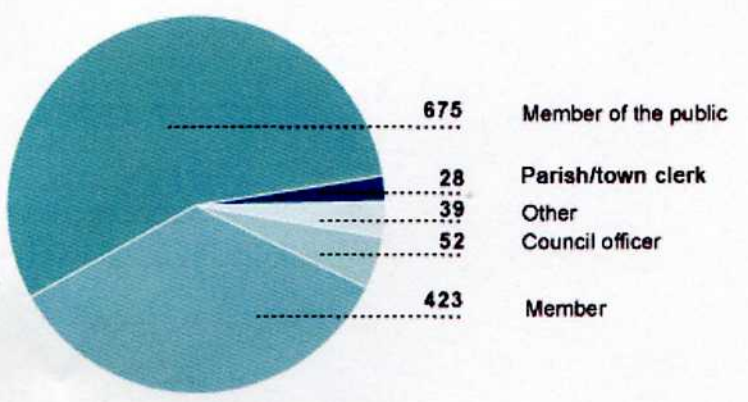
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Source of complaint

The following statistics were compiled from data submitted on quarterly return forms, covering the period 8 May to 30 September 2008.

A decision about whether to refer had not been made on 235 (19%) of cases received so far. The breakdown of decisions for the other 982 cases is as follows:



The split of cases by authority type is as follows:

Authority types	Number of cases	Average number of cases per authority
County Council	45	1.3
District Council	789	3.3
London Borough	52	1.6
Metropolitan Council	123	3.6
Unitary	197	4.2

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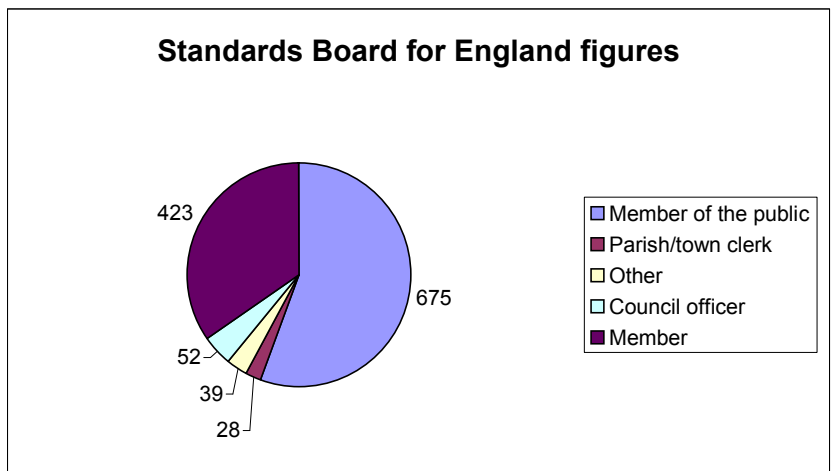
West Lancashire District Council and the Standards Board of England

Complaints comparison 2008/2009

As at 30/03/2009

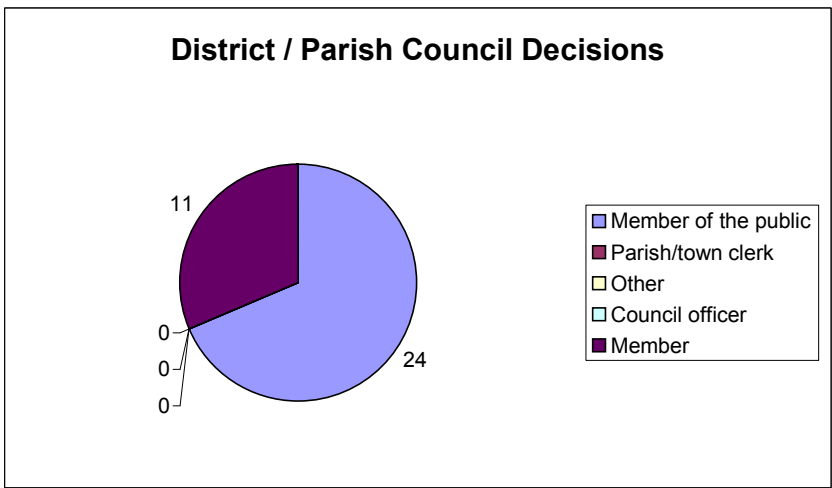
Standards Board for England figures

Member of the public	675
Parish/town clerk	28
Other	39
Council officer	52
Member	423
Total	1217



West Lancashire figures

Member of the public	24
Parish/town clerk	0
Other	0
Council officer	0
Member	11
Total	35



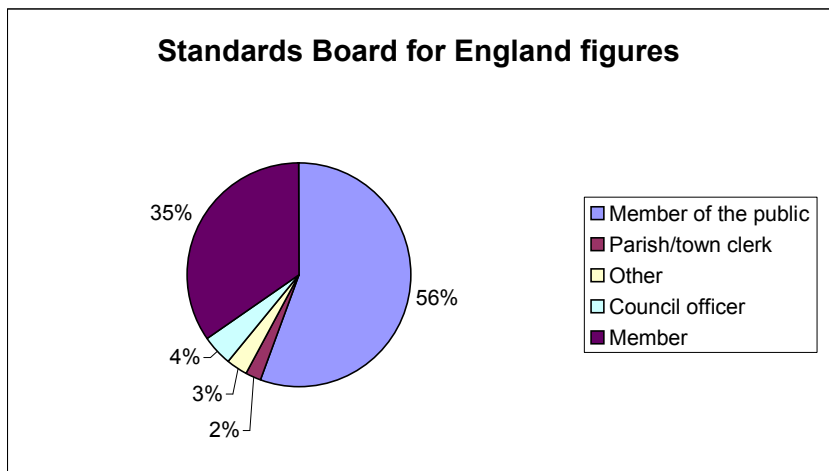
West Lancashire District Council and the Standards Board of England

Complaints comparison 2008/2009

As at 30/03/2009

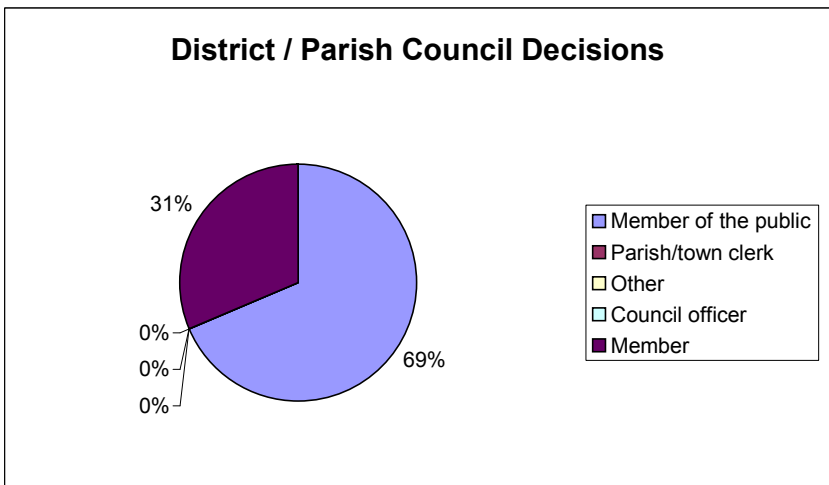
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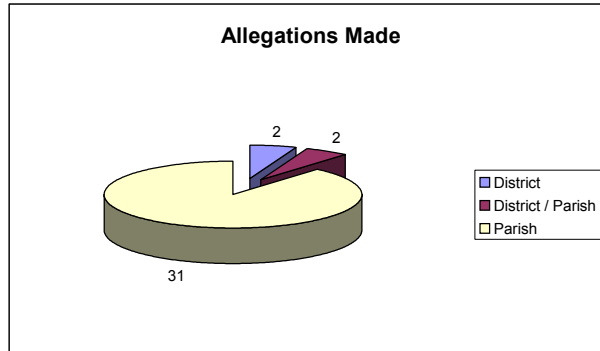
West Lancashire District Council

Complaints to the Standards Committee 2008/2009

As at 18/03/2009

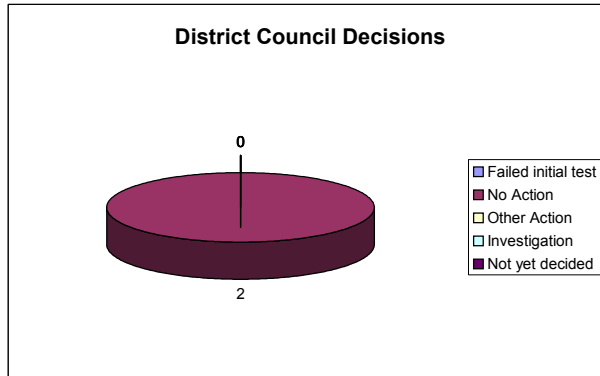
Allegations made

District	2
District / Parish	2
Parish	31
Total	35



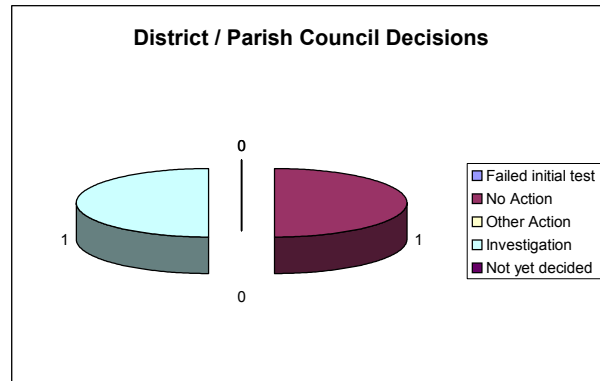
District Council Decisions

Failed initial test	0
No Action	2
Other Action	0
Investigation	0
Not yet decided	0
Total	2



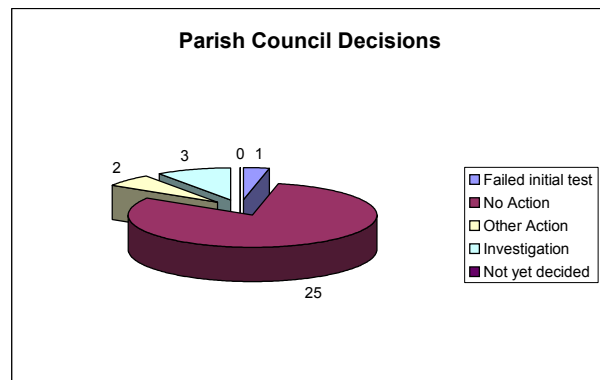
District / Parish Council Decisions

Failed initial test	0
No Action	1
Other Action	0
Investigation	1
Not yet decided	0
Total	2



Parish Council Decisions

Failed initial test	1
No Action	25
Other Action	2
Investigation	3
Not yet decided	0
Total	31



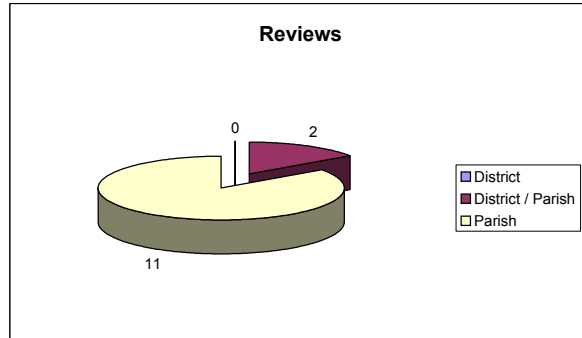
West Lancashire District Council

Reviews - Standards Committee 2008/2009

As at 24/02/2009

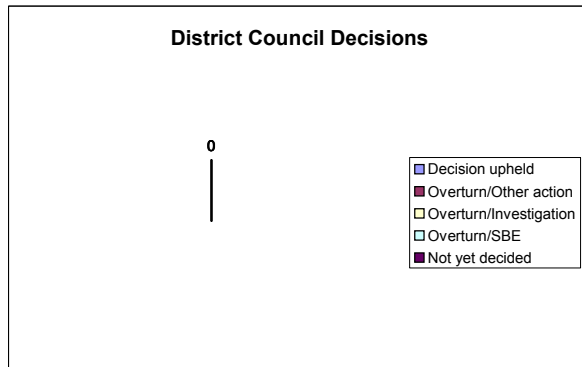
Reviews

District	0
District / Parish	2
Parish	11
Total	13



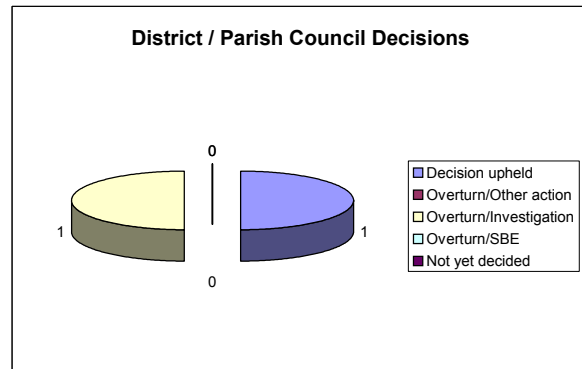
District Council Decisions

Decision upheld	0
Overturn/Other action	0
Overturn/Investigation	0
Overturn/SBE	0
Not yet decided	0
Total	0



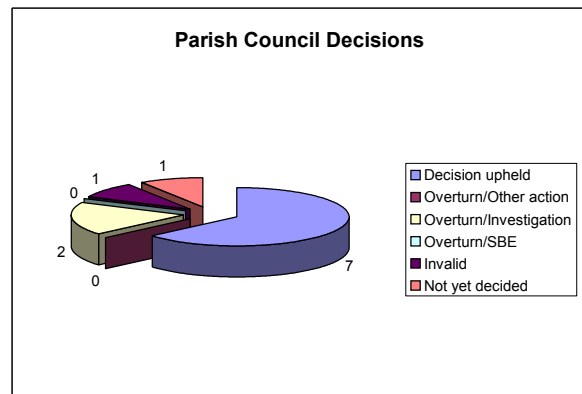
District / Parish Council Decisions

Decision upheld	1
Overturn/Other action	0
Overturn/Investigation	1
Overturn/SBE	0
Not yet decided	0
Total	2



Parish Council Decisions

Decision upheld	7
Overturn/Other action	0
Overturn/Investigation	2
Overturn/SBE	0
Invalid	1
Not yet decided	1
Total	11



West Lancashire District Council

Investigations - Standards Committee 2008/2009

As at 22/12/2008

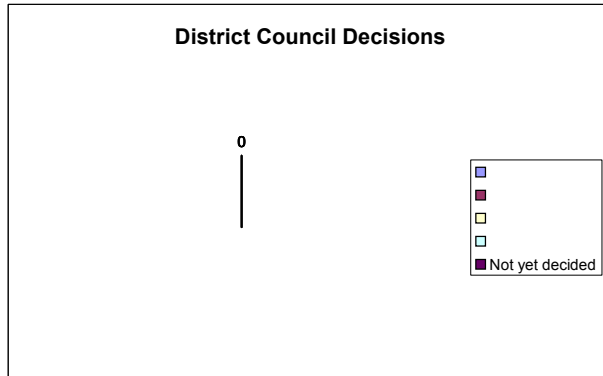
Investigations

District	0
District / Parish	2
Parish	5
Total	7



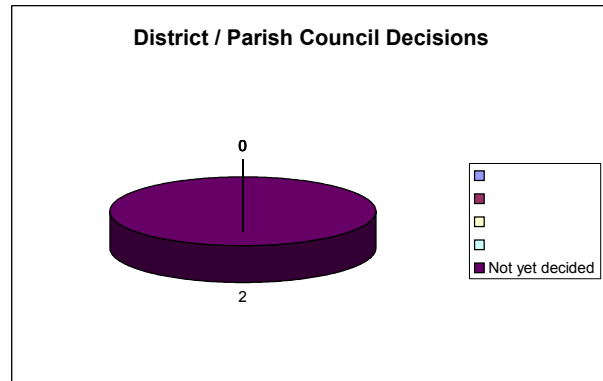
District Council Decisions

	0
	0
	0
	0
Not yet decided	0
Total	0



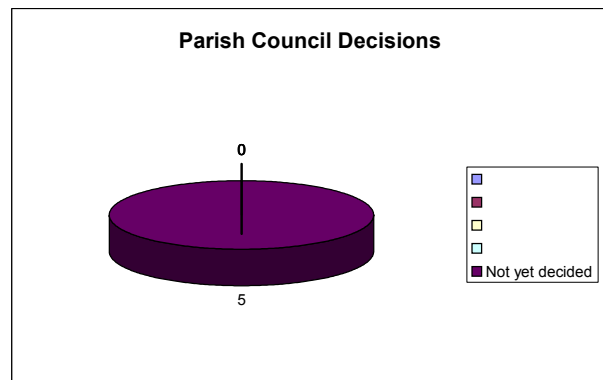
District / Parish Council Decisions

	0
	0
	0
	0
Not yet decided	2
Total	0



Parish Council Decisions

	0
	0
	0
	0
Not yet decided	5
Total	5





AGENDA ITEM: 6

**STANDARDS COMMITTEE:
7 APRIL 2009**

Report of: Council Secretary and Solicitor

Contact: Mrs G L Rowe (Ext 5004)/Mr G Martin (Ext 5065)
**(E-mail: gill.rowe@westlancsdc.gov.uk/
gary.martin@westlancsdc.gov.uk)**

SUBJECT: QUALITY PARISH COUNCILS

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To apprise the Standards Committee of the current position in West Lancashire on Parish Councils achieving 'Quality Parish Council' status (QPS).

2.0 RECOMMENDATIONS

2.1 That the number of Parish Councils in West Lancashire who have QPS be noted.

2.2 That the contents of the letter attached at Appendix 1 be noted.

3.0 BACKGROUND

3.1 At the meeting of the Committee held on 13 December 2008, I reported on the number of complaints received in the period from 8 May 2008 and members noted the high number of complaints relating to Parish Councils in the District, particularly Halsall. The Committee asked that I report on the current position in relation to Parishes in West Lancashire attaining QPS.

4.0 THE QUALITY PARISH COUNCIL SCHEME

4.1 The Quality Parish and Town Council Scheme was launched in 2003 following the Government's *Rural White Paper*, 2000. The aim of the Scheme is to provide benchmark minimum standards for parish and town councils. The Scheme is supported by six National Stakeholders, the Commission for Rural Communities, the Department for Communities and Local Government, the Department for the Environment, Food and Rural Affairs, the Local Government Association, the National Association of Local Councils and the Society of Local Council Clerks

4.2 The Quality scheme is open to all parish and town councils in England, irrespective of size. It aims to enable parish councils to work more closely with others in the delivery of local services and to better represent their local communities.

4.3 Parish Councils with QPS are expected to:

- be representative of and actively involve all parts of their community
- be effectively and properly managed, with members and officers upholding a high standard of conduct
- work closely with voluntary and community sector groups, and articulate the community's needs and wishes through effective communications, which might include the production of parish plans or other similar documents; and
- work in partnership with other local authorities and agencies and, depending on their size, be able to deliver local services which give the best deal for the local community
- QPS is attained when the Council, to the satisfaction of assessors, can demonstrate it meets a range of criteria including a requirement that at least two-thirds of the members of the Council must have been elected (this excludes co-opted or appointed members) and that the Parish Council's Clerk holds either a Certificate in Local Council Administration (CiLCA) a Certificate of Higher Education in Local Policy or Local Council Administration awarded by the University of Gloucestershire.

4.4 The accreditation process is managed by the County Association of the National Association of Local Councils on behalf of the National Stakeholders. Nationally, there are 8,500 Town and Parish Councils, with 681 of them having QPS. In West Lancashire 4 of the 20 Parish Councils (Bickerstaffe, Hesketh-with Beconsall, Newburgh and Parbold) have QPS.

4.5 The Parish and Town Charter recognises the potential benefits, in terms of the quality of service offered to local people, of Parish and Town Councils working towards and gaining, quality status. Efforts to achieve quality status are encouraged.

5.0 GOOD GOVERNANCE

5.1 I attach at Appendix 1 a copy of my letter to all Parish Councils dated 16 March 2009 explaining the importance of good governance documents in the context of the maintenance of high standards.

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:

Appendix 1 – Letter to Parish Councils – 16.3.09

gill.rowe

**To: The Parish Clerk
All Parish Councils in West
Lancashire**

16 March 2009

GLR/JL
Mrs G L Rowe
585004

Dear Colleague

**LESSONS LEARNED TO DATE FROM STANDARDS COMMITTEE COMPLAINTS
INVOLVING PARISH COUNCILS**

All Parish Councils, except Lathom South Parish Council will recall that, on 2 June 2006, we circulated a copy of the ACSeS Parish Council Toolkit.

It has become clear to me from dealing with standards matters over recent months that it is essential that Parishes have in place up to date relevant governance documents. This would include Standing Orders and Financial Regulations. Robust complaints procedures and internal grievance procedures are also helpful. Regular constitutional training will assist Parish Councillors and keep them up to date. Clearly Parish Councils achieving Quality Status can only enhance good governance.

I understand that a revised toolkit is to be launched in April but if, in the meantime, you require a further copy of the one we circulated in 2006 please do not hesitate to contact Jacky Denning in Member Services.

Kind regards

Yours sincerely

**Gillian L Rowe LL.B.
Council Secretary and Solicitor**

Copy to: Standards Committee

Parish Councils 160309

Standards Committee Work Programme 2009/10 – 7 April 2009

	Timescale	Progress
1 Lessons to be learned from reported complaints/monitoring of compliance with the Code	As and when required	On going
2 New/Revised Protocols	As and when required	On going
3 Annual Monitoring of Training Report	Summer 2009	On target
4 Code of Conduct Seminar for Officers, District and Parish Councillors (Press Release to be issued – Details on website)	Autumn 2008	On target - Seminar held on 20 November 2008 at Edge Hill Press release done
5 Report on Annual Standards Board Conference (Para for 7 Days)	December 2008	Circulated via e-mail/letter
6 Update on visits by individual Members to District and Parish Council Meetings (Press Release to be issued and put on website)	Autumn 2008	On target – Reported to Standards Committee 10 December 2008
7 Update on Whistleblowing Code	Summer 2009	
8 Hearings and Investigations	As and when required	On going
9 Consideration of applications for dispensations	As and when required	On going
10 Monitoring Officer meeting with Parish Clerks to discuss Standards regime	Summer 2008	Target met – Meeting held June 2008. Reported to the meeting of the Standards Committee in July 2008

	Timescale	Progress
11 Standards Committee annual meeting inviting Parish Clerks and Parish Chairman to discuss Code (Press Release to be issued)	Summer 2009	
12 Standards Committee – Annual Report	Summer 2009	
13 Annual Meeting Standards Committee and the Chief Executive and Leaders of 2 Political Groups to discuss importance of ethical governance and Annual Report (Press Release to be issued and Para for 7 Days and on website explaining how much the Chief Executive and Leader support and encourage high ethical standards)	Autumn 2009	
14 Consider involvement of the Standards Committee in the Officer Code and Political Restrictions	Autumn 2008	On target – Consultation Document – Reported to Committee in December 2008 meeting
15 Consider use of the ethical governance toolkit	Summer 2009	
16 Look at conducting Peoples Panel research in relation to opinions of conduct in West Lancashire	Summer 2009	
17 Look at the potential involvement of the Standards Committee in complaints handling and review of Ombudsman decisions	Autumn 2009	
18 Local Filter - implementation	Summer 2008	On target

**STANDARDS COMMITTEE
(ASSESSMENT SUB-COMMITTEE)**

HELD: 10 DECEMBER 2008
Start: 2.00pm
Finish: 2.55pm

PRESENT:

Members: Independent Member Mr J Cailes (Chairman for the meeting)
Councillor Whitby
Parish Councillor Hammond

Officers: Council Secretary and Solicitor
Assistant Member Services Manager

52. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member Mr J Cailes be appointed Chairman for the meeting.

53. APOLOGIES

There were no apologies for absence.

54. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the sub-committee.

55. DECLARATIONS OF INTEREST

There were no declarations of interest.

56. REFERRAL TO THE MONITORING OFFICER - LG5/8

The Sub-Committee considered the report of the Council Secretary and Solicitor which detailed the 'other action' undertaken in respect of complaint LG5/8.

RESOLVED: That the Assessment Sub-Committee is satisfied with the action specified in paragraph 4 of the report in respect of the complaint and the subject member, complainant, Standards Committee and relevant Parish Clerk be notified in writing of the decision.

57. GUIDANCE NOTE - OFFICIAL CAPACITY

The Sub-Committee considered a guidance note produced by Weightmans Solicitors on Official Capacity under the Members Code of Conduct.

RESOLVED: That the guidance note on Official Capacity be noted.

58. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/17

The Sub-Committee considered the report of the Council Secretary and Solicitor to decide whether any action should be taken on a complaint she had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

- RESOLVED: A. That the decision notice now agreed be issued.
- B. That a written summary of the allegation be provided to the subject member.

59. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/18

The Sub-Committee considered the report of the Council Secretary and Solicitor to decide whether any action should be taken on a complaint she had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

- RESOLVED: A. That the decision notice now agreed be issued.
- B. That a written summary of the allegation be provided to the subject member.

60. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/19

The Sub-Committee considered the report of the Council Secretary and Solicitor to decide whether any action should be taken on a complaint she had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

- RESOLVED: A. That the decision notice now agreed be issued.
- B. That a written summary of the allegation be provided to the subject member.

**STANDARDS COMMITTEE
(ASSESSMENT SUB-COMMITTEE)**

HELD: 14 JANUARY 2009
Start: 2.15pm
Finish: 3.05pm

PRESENT:

Members: Independent Member Mr J Cailes (Chairman for the meeting)
Councillor Whitby
Parish Councillor Hammond

Officers: Council Secretary and Solicitor
Assistant Member Services Manager

61. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member Mr J Cailes be appointed Chairman for the meeting.

62. APOLOGIES

There were no apologies for absence.

63. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the sub-committee.

64. DECLARATIONS OF INTEREST

There were no declarations of interest.

65. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/32 & 33

The Sub-Committee considered the report of the Council Secretary and Solicitor to decide whether any action should be taken on a complaint she had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

RESOLVED: A. That the decision notice now agreed be issued.

B. That a written summary of the allegation be provided to the subject member.

66. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/34

The Sub-Committee considered the report of the Council Secretary and Solicitor to decide whether any action should be taken on a complaint she had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

- RESOLVED: A. That the decision notice now agreed be issued.
- B. That a written summary of the allegation be provided to the subject member.

67. REFERRAL TO THE MONITORING OFFICER - LG5/15

The Sub-Committee considered the report of the Council Secretary and Solicitor which detailed the 'other action' undertaken in respect of complaint LG5/15.

RESOLVED: That the Assessment Sub-Committee is satisfied with the action specified in paragraph 4 of the report in respect of the complaint and the subject member, complainant, Standards Committee and relevant Parish Clerk be notified in writing of the decision.

**STANDARDS COMMITTEE
(ASSESSMENT SUB-COMMITTEE)**

HELD: 26 FEBRUARY 2009
Start: 2.30pm
Finish: 3.20pm

PRESENT:

Members: Independent Member Mr P Hanmer (Chairman for the meeting)
Councillor G M Roberts
Parish Councillor Kitson

Officers: Council Secretary and Solicitor
Assistant Member Services Manager

68. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member Mr P Hanmer be appointed Chairman for the meeting.

69. APOLOGIES

There were no apologies for absence.

70. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the sub-committee.

71. DECLARATIONS OF INTEREST

There were no declarations of interest.

72. COMPLAINT OF BREACH OF CODE OF CONDUCT - LG5/35

The Sub-Committee considered the report of the Council Secretary and Solicitor to decide whether any action should be taken on a complaint she had received, attached at Appendix 1 to the report, in respect of potential breach of the Code of Conduct.

The Sub-Committee considered the Pre-Assessment report attached at Appendix 2 to the report and the recommendations contained therein.

RESOLVED: A. That the decision notice now agreed be issued.

B. That a written summary of the allegation be provided to the subject member.

PRESENT:

Members: Independent Member Mr P Hanmer (Chairman for the meeting)
Councillor Rice
Parish Councillor A Cheetham

Officers: Legal Services Manager
Senior Member Services Officer (CAJ)

14. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member, Mr P Hanmer, be appointed Chairman for the meeting.

15. APOLOGIES

There were no apologies for absence.

16. MEMBERSHIP OF THE SUB-COMMITTEE

There were no changes to membership of the Sub-Committee.

17. DECLARATIONS OF INTEREST

There were no declarations of interest.

18. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT LG5/13

The Review Sub-Committee considered the report of the Council Secretary and Solicitor to review a decision of the Assessment Sub-Committee taken on 9 October 2008 when no findings of fact were made.

The Sub-Committee considered the review report at Appendix 5 and the recommendations therein.

RESOLVED: A. That the original decision of the Assessment Sub-Committee in relation to allegations 1, 3 and 4 be upheld.

B. That the Review Decision Notice now agreed be issued.

19. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT LG5/14

The Review Sub-Committee considered the report of the Council Secretary and Solicitor to review a decision of the Assessment Sub-Committee taken on 9 October 2008 when no findings of fact were made.

**STANDARDS COMMITTEE
(REVIEW SUB COMMITTEE)**

HELD: 10 DECEMBER 2008

The Sub-Committee considered the review report at Appendix 5 and the recommendations therein.

- RESOLVED: A. That the original decision of the Assessment Sub-Committee in relation to allegations 2 and 3 be upheld.
- B. That the Review Decision Notice now agreed be issued.

PRESENT:

Members: Independent Member Mr P Hanmer (Chairman for the meeting)
Councillor Rice
Parish Councillor A Cheetham

Officers: Legal Services Manager
Senior Member Services Officer (SG)

20. APPOINTMENT OF CHAIRMAN

RESOLVED: That Independent Member, Mr P Hanmer, be appointed Chairman for the meeting.

21. APOLOGIES

There were no apologies for absence.

22. MEMBERSHIP OF THE SUB-COMMITTEE

There were no changes to membership of the Sub-Committee.

23. DECLARATIONS OF INTEREST

There were no declarations of interest.

24. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT LG5/18

The Review Sub-Committee considered the report of the Council Secretary and Solicitor to review a decision of the Assessment Sub-Committee taken on 10 December 2008 when no findings of fact were made.

The Sub-Committee considered the review report at Appendix 5 and the recommendations therein.

RESOLVED: A. That the original decision of the Assessment Sub-Committee in relation to allegations 1, 2 and 3 be upheld.

B. That the Review Decision Notice now agreed be issued.

25. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT LG5/19

The Review Sub-Committee considered the report of the Council Secretary and Solicitor to review a decision of the Assessment Sub-Committee taken on 10 December 2008 when no findings of fact were made.

The Sub-Committee considered the review report at Appendix 5 and the recommendations therein.

- RESOLVED: A. That the original decision of the Assessment Sub-Committee in relation to allegations 1, 3 and 6 be upheld.
- B. That the Review Decision Notice now agreed be issued.

26. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT LG5/32

The Review Sub-Committee considered the report of the Council Secretary and Solicitor to review a decision of the Assessment Sub-Committee taken on 14 January 2009 when no findings of fact were made.

The Sub-Committee considered the review report at Appendix 5 and the recommendations therein.

- RESOLVED: A. That the original decision of the Assessment Sub-Committee in relation to the allegation be upheld.
- B. That the Review Decision Notice now agreed be issued.

27. REVIEW OF COMPLAINT OF BREACH OF CODE OF CONDUCT LG5/33

The Review Sub-Committee considered the report of the Council Secretary and Solicitor to review a decision of the Assessment Sub-Committee taken on 14 January 2009 when no findings of fact were made.

The Sub-Committee considered the review report at Appendix 5 and the recommendations therein.

During the ensuing discussion Members noted that there was a Police investigation into an aspect of the complaint and that the complainant may have the opportunity to bring a further complaint if they considered it appropriate.

- RESOLVED: A. That the original decision of the Assessment Sub-Committee in relation to the allegation be upheld.
- B. That it was noted that a Police investigation was stated to be undertaken in relation to an aspect of the complaint.
- C. That the Review Decision Notice now agreed be issued.