

STANDARDS COMMITTEE

HELD: **ITEM 7C**
Start: **19 MAY 2009**
Finish: 4.00pm
4.50pm

PRESENT

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

Councillors Mrs U Atherley
S Jones
T Rice
G M Roberts

Parish Councillors M Hammond
D Kitson

Officers: Mrs G L Rowe, Council Secretary & Solicitor
Mrs J Denning, Assistant Member Services Manager

43. APOLOGIES

An apology for absence was received on behalf of Parish Councillor Andrew Cheetham.

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

There were no items of urgent business.

45. DECLARATIONS OF INTEREST

There were no declarations of interest.

46. MINUTES

RESOLVED: That the minutes of the meeting of the Standards Committee held on 7 April 2009 be approved as a correct record and signed by the Chairman.

47. STANDARDS BOARD ANNUAL RETURN - DEADLINE 15 MAY 2009

The Committee considered the report of the Council Secretary and Solicitor, as contained on pages 235 to 242 of the Book of Reports, which detailed the response provided in the Standards Board Online Annual Return 2008/09.

RESOLVED: That the contents of the Standards Board Online Annual Return 2008/09 be noted.

48. NEW GUIDANCE FROM THE STANDARDS BOARD ON 'OTHER ACTION' - DUE MAY 2009

The Council Secretary and Solicitor advised that she was still waiting for the new Guidance.

49. NEW CODE OF CONDUCT AND SECTION 183(4) OF THE LGPIH ACT 2007 RE: APPLICATION OF THE CODE TO 'PRIVATE CAPACITY'

The Council Secretary and Solicitor advised that the new Code of Conduct had not yet been received.

50. STANDARDS COMMITTEES - LOCAL DETERMINATIONS AND COSTS

The Council Secretary and Solicitor referred to a letter received and detailed on page 243 of the Book of Reports from the Department of Communities and Local Government in respect of local determinations and associated costs.

RESOLVED: That the letter from the Department of Communities and Local Government be noted.

51. MINUTES OF SUB-COMMITTEES

The Committee considered the minutes of the Review Sub-Committee meeting held on 28 April 2009.

RESOLVED: That the minutes of the Review Sub-Committee be noted.

52. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 7C of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

Independent Member Mr P Hanmer (who was in the Chair for the next item), Councillor S Jones, Parish Councillor D Kitson, Mrs G Rowe, Council Secretary and Solicitor and Mrs J Denning, Assistant Member Services Manager remained in the room for consideration of the next two items.

53. LOCAL INVESTIGATION - INV 2 - LG5/13 - DECISION 2

The Committee considered the report of the Council Secretary and Solicitor, as contained on pages 247 to 280 of the Book of Reports, which presented a copy of the final report arising from the local investigation in respect of an allegation by Parish Councillor Marilyn Westley that Parish Councillor Doreen Stephenson may have failed to comply with Halsall Parish Council's Code of Conduct.

RESOLVED: That the matter be considered at a hearing of the Standards Committee, conducted under Regulation 18 of the Standards Committee (England) Regulations 2008.

54. LOCAL INVESTIGATION - INV 3 - LG5/14 - DECISION 1

The Committee considered the report of the Council Secretary and Solicitor, as contained on pages 281 to 305 of the Book of Reports, which presented a copy of the final report arising from the local investigation in respect of an allegation by Parish Councillor Marilyn Westley that Parish Councillor John Stephenson may have failed to comply with Halsall Parish Council's Code of Conduct.

- RESOLVED: A. That the Investigating Officer's finding that Parish Councillor John Stephenson has not failed to comply with the Code of Conduct for Members, be accepted.
- B. That the reasons for the finding be agreed, as set out in the Notice of Finding.
- C. That if the subject member does not object to publication of the Notice of Finding, it is appropriate to also publish the notice on the Council's website.

THE CHAIRMAN