

STANDARDS COMMITTEE

HELD: Tuesday, 20 March 2018

Start: 5.00 pm

Finish: 6.00 pm

PRESENT:

Councillor: I Moran (Chairman)

Councillors: D Westley J Davis
Mrs J Marshall K Wright

In attendance: Mr S Ibbs (Independent Person)

Officers: Terry Broderick, Borough Solicitor
Matthew Jones, Legal and Member Services Manager
Sue Griffiths, Principal Member Services Officer

11 APOLOGIES

Apologies for absence were submitted on behalf of Councillor I Davis and Mr S Garvey (The Reserve Independent Person).

12 MEMBERSHIP OF THE COMMITTEE

There were no changes to membership of the Committee.

13 DECLARATIONS OF INTEREST

Councillor Marshall declared a non-pecuniary interest in agenda item 13 (Request for Parish Council representation on Standards Committee) as a member of Scarisbrick Parish Council.

14 URGENT BUSINESS

There were no items of urgent business.

15 PUBLIC SPEAKING

There were no items under this heading.

16 MINUTES

RESOLVED That the minutes of the last meeting of the Committee held on 19 September 2017 be approved as a correct record and signed by the Chairman.

17 COMPLAINTS STATISTICS

The Committee considered the complaints statistics for 2017/18 as set down at pages 45 – 50 of the Book of Reports.

RESOLVED That the Standards Complaints Statistics, attached at Appendix 1 to the report be noted.

18 INDEPENDENT PERSON PROTOCOL

Consideration was given to the report of the Borough Solicitor as contained on pages 51 to 59 of the Book of Reports that gave details in relation to the Independent Person Protocol as set down at 16.5 of the Constitution.

The Borough Solicitor proposed that, as the role of the independent person was firmly established within the statutory regime, that the Standards Committee received reports when changes are made to the document rather than an annual review.

RESOLVED (A) That the Independent Person Protocol, attached at Appendix 1, be endorsed.

(B) That the Independent Person Protocol shall not be brought to the Committee for routine annual review.

19 OFFICERS' CODE OF CONDUCT

The Borough Solicitor reminded the Committee that the Officers' Code of Conduct was set down at 17.1 of the Constitution and applied to all employees under a contract of employment with the Council. He reported that it provided a very clear framework for employees to follow and ensured that high standards were maintained. He reported upon minor changes to the document which had been made as a result to changes to the Council's management structure.

RESOLVED That the Officer Code of Conduct as attached at Appendix A be approved.

20 INTIMIDATION IN PUBLIC LIFE

Consideration was given to the report of the Borough Solicitor as contained on pages 83 – 170 of the Book of Reports which presented the report of the Committee on Standards in Public Life entitled "Intimidation in Public Life" published in December 2017. The Borough Solicitor reported that the publication was in response to the increasing prevalence of intimidation in public life and it presented evidence illustrating the extent and seriousness of the problem.

He drew Members attention to a recommendation in the report for Monitoring Officers to ensure that Members required to declare pecuniary interests are aware of the sensitive interest provisions in the Localism Act 2011 and he went on to explain how this was undertaken.

RESOLVED That the report be noted.

21 **GUIDANCE FOR NEWLY ELECTED/CO-OPTED PARISH COUNCILLORS**

In an oral report the Borough Solicitor referred to the resolution of the last meeting of the Committee held on 19 September 2019 in relation to guidance for newly elected/co-opted Parish Councillors.

He reported that he had engaged with the Parish Councils and would reinvigorate this issue via the Parish Clerks Liaison Meeting and that he would continue to direct Parish Councils towards opportunities for training.

The ensuing discussion highlighted questions and comments regarding:-

- Annual Code of Conduct training
- Training for Parish Council Chairs
- Training offered by LALC
- General Data Protection Regulation (GDPR)

RESOLVED That the report be noted.

22 **STAKEHOLDER CONSULTATION: NATIONAL REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS**

In a report contained on pages 173 – 188 of the Book of Reports, the Borough Solicitor reported upon the current review by the Committee on Standards in Public Life into local government ethical standards, and presented a proposed response to the consultation.

RESOLVED That the consultation response at Appendix 2 to the report be submitted on behalf of the Council.

23 **REQUEST FOR PARISH COUNCIL REPRESENTATION ON STANDARDS COMMITTEE**

Consideration was given to the report of the Borough Solicitor as contained on pages 191 – 195 of the Book of Reports which advised on a request from the Lancashire Association of Parish and Town Councils (West Lancashire Area Committee) for two Parish representatives to be appointed to the Standards Committee.

RESOLVED That the Local Association of Parish and Town Councils be advised that having regard to all relevant matters, including the current arrangements in place, the discretion vested in the Council and the appropriate expertise currently in place, no changes be made to the membership of the Standards Committee.

24 **WORK PROGRAMME**

Consideration was given to the Work Programme as circulated and contained on page 197 of the Book of Reports.

- RESOLVED (A) That the Work Programme be noted
- (B) That item 9 (Review of the IP Protocol) be removed from the Work Programme and reports brought to the Committee when proposed changes to the IP Protocol are to be considered by the Committee.
 - (C) That item 12 (Intimidation in Public Life) be included on the Work Programme as an on-going item.
 - (D) That item 13 (Guidance for newly elected/co-opted Parish Councillors) be included on the Work Programme as an on-going item.

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Chairman