

STANDARDS COMMITTEE

HELD: Tuesday, 15 September 2020

Start: 5.00 pm

Finish: 5.15 pm

PRESENT:

Councillor: I Moran (Chairman)

Councillors: D Westley (Vice Chairman) I Davis
D Evans Mrs J Marshall
K Wright

In attendance: J Stopford, L Webster, S Garvey

Officers: Matt Jones – Legal and Democratic Services Manager
Kay Lovelady – Principal Solicitor
Jill Ryan – Senior Member Services Officer
Kirsty Breakell, Member Services / Civic Officer

13 APOLOGIES

There were no apologies

14 MEMBERSHIP OF THE COMMITTEE

There were no changes to the Membership of the Committee

15 DECLARATIONS OF INTEREST

There were no declarations of interest

16 URGENT BUSINESS

There was no urgent business

17 PUBLIC SPEAKING

There was no public speaking

18 MINUTES

RESOLVED: That the minutes of the meeting held on the 17 September 2019, be approved as a correct record.

19 APPOINTMENT OF PARISH/TOWN COUNCIL REPRESENTATIVES ON THE STANDARDS COMMITTEE

The Chairman welcomed the Parish Councillors to the Committee.

RESOLVED: That the appointment of Parish Councillors Justin Stopford and Linda

Webster for a 3 year term of office ending in May 2023 be noted.

20 DISPENSATIONS

The Legal and Democratic Services Manager presented the Dispensations Report as contained on pages 15 – 18 of the Book of Reports, which sought approval to grant a dispensation to Members to allow them to continue to speak and vote at Council meetings in relation to relevant lines in the budget and specific functions of the Council.

RESOLVED:

- A. That a dispensation be granted, until 14 September 2024, to all Members who have disclosable pecuniary, or pecuniary interests in relation to relevant lines in the budget, to allow them to participate and vote in budget debates.
- B. That a dispensation in the following terms be granted until 14 September 2024 to all Members and Co-Opted Members of the Borough Council and all Members of the Parish Councils in West Lancashire. (insofar as it is applicable and within the Committee's powers):
"Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a disclosable pecuniary or pecuniary interest that relates to the functions of the Council in respect of:-
 - (i) Housing where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease.
 - (ii) School meals, or school transport and travelling expenses where you are 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.
 - (iii) Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or entitled to the receipt of, such pay.
 - (iv) An allowance, payment or indemnity given to Members.
 - (v) Any ceremonial honour given to Members; and
 - (vi) Setting council tax or a precept under the Local Government Finance Act 1992.

21 STANDARDS COMMITTEE ANNUAL REPORT 2019-2020

The Legal and Democratic Services Manager presented the Standards Committee Annual Report as contained on pages 21 – 30 of the Book of Reports.

RESOLVED: That the Standards Committee Annual Report 2019/20, attached as an appendix, be noted, endorsed and published on the Council's website.

22 ANNUAL MONITORING OF TRAINING REPORT

Consideration was given to the report of the Legal and Democratic Services Manager as contained on pages 31 – 35 of the Book of Reports which was to consider and evaluate the effectiveness of the training undertaken to date in relation to the Code of Conduct and standards.

RESOLVED: That the training undertaken and the evaluation of it be noted.

23 NATIONAL REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS

Consideration was given to the report of the Legal and Democratic Services Manager as contained on pages 37 – 40 of the Book of Reports which provided an update on actions taken in consideration of the best practice recommendations of the Committee on Standards in Public Life following its national review of Local Government Ethical Standards.

RESOLVED:

- A. That the update at appendix B be noted
- B. That in relation to best practice recommendation 11, the consultation letter at appendix C be approved and circulated to all parish councils within West Lancashire.

24 COMPLAINTS STATISTICS

Consideration was given to the report of the Legal and Democratic Services Manager as contained on pages 183 – 184 of the Book of Reports which provides statistical information in relation to standards complaints.

RESOLVED: That the Standards Complaints Statistics attached at appendix A & B, be noted.

25 WORK PROGRAMME

RESOLVED: That the work programme be noted.

26 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100(A) 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 paragraphs 1 and 2, Part 1 of Schedule 12A and outweighs the public interest in disclosing the information.

27 INDEPENDENT PERSONS

Consideration was given to the report of the Legal and Democratic Services Manger as contained on pages 195 – 198 of the Book of Reports the purpose of which was to note that in accordance with best practice the Council should have access to two Independent Persons, to agree the process for appointment following the arising of a vacancy and to consider a review of the Independent Person protocol.

RESOLVED:

- A. That it be noted that, in accordance with best practice, the Council should have access to two Independent Persons.
- B. That a vacancy in the position of Independent Person (Appendix 1) be noted.

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- C. That the process for appointing a second Independent Person, set out at paragraph 4.2 of the report, be approved.
- D. That the Work Programme for Standards Committee include a review of the Independent Person protocol (Appendix 4).

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Chairman