

STANDARDS COMMITTEE

HELD: Tuesday, 5 March 2024

Start: 7.00 pm

Finish: 7.15 pm

PRESENT:

Councillor:

D Westley (Vice-Chair) (in the Chair)

Councillors:

P Burnside
A Fennell
J Howard
Webster
V Cummins
N Furey
J Witter
G Dowling

Parish Councillor:

A Grant

Officers:

Claire Kelly, Principal Solicitor and Deputy Monitoring Officer
Jacky Denning, Democratic Services Manager

29 APOLOGIES

An apology for absence was received from the Chairman, Councillor Yvonne Gagen.

30 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillor Y Gagen, and the appointment of Councillor G Dowling for this meeting only, thereby giving effect to the wishes of the Political Groups.

31 DECLARATIONS OF INTEREST

There were no declarations of interests.

32 URGENT BUSINESS

There were no items of urgent business.

33 PUBLIC SPEAKING

There were no requests made under this heading.

34 MINUTES

RESOLVED: That the minutes of the meeting held on 19 September 2023, be received as a correct record and signed by the Chairman, subject to reference to Councillor David Westley under minute 21, being amended to read 'Borough' Councillor, not 'Parish' Councillor.

35 PARISH/TOWN COUNCIL REPRESENTATIVES

Consideration was given to the report of the Head of Legal & Democratic Services, as contained on pages 7 – 12 of the Book of Reports, which sought approval for the appointment of a Parish Council Representative, (Application at Appendix 1) for

appointment to Standards Committee, and if supported; to request the extension of the existing Parish Councillor Representative's Term of Appointment to coincide with the new appointment.

RESOLVED:

- A. That it be noted that following consideration of two Nominees to fulfil two Vacant Parish/Town Council Representative Positions on Standards Committee, the appointment of Councillor Andrew Grant, as Parish/Town Council Representative on Standards Committee, for a term of three years, ending May 2026, was supported by Standards Committee 19 September 2023, and endorsed by Council 18 October 2023. The other Nominee was deemed unsuitable therefore it was agreed that Standards Committee would proceed with one appointed Parish Councillor Representative and one Vacancy, until such time that an application was received for the vacant position.
- B. That the Application (at Appendix 1) for appointment to the Vacant Position, be supported by Standards Committee, and the Minutes be submitted to Council for endorsement on 17 April 2024, to:
 - I. Appoint the Applicant Councillor Derrick Moss as Parish Council Representative for the term of three Years, ending May 2027, and;
 - II. The term of appointment of the existing Parish/Town Council Representative, Councillor Andrew Grant, be extended, to co-inside with the newly appointed Parish/Town Council Representative, with both Terms ending May 2027.

36 **COMPLAINTS STATISTICS REPORT**

Consideration was given to the report of the Head of Legal and Democratic Services, as contained on pages 13 to 14 of the Book of Reports, which provided statistical information in relation to Standards Complaints.

RESOLVED: That it be noted that the Council has not received any formal complaints under the Members Code of Conduct between 19 September 2023 (the last meeting) and 5 March 2024.

37 **GENERAL DISPENSATION TO ALL COUNCILLORS**

Consideration was given to the report of the Head of Legal and Democratic Services, as contained on pages 15 to 22 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 13 September 2028, 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 13 September 2028 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 its 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."

38 **INDEPENDENT PERSON PROTOCOL**

Consideration was given to the report of the Head of Legal and Democratic Services, as contained on pages 23 to 26 of the Book of Reports, which sought to review the Independent Person Protocol (at Appendix 1).

Comments and questions was raised in respect of the following:

- The appointment process of the Independent Persons
- The meaning, context and origin of the wording "offer **authoritative** and impartial advice"

RESOLVED: That the Independent Person Protocol, attached at Appendix 1 to the report, be approved.

39 **WORK PROGRAMME**

RESOLVED: That the work programme be noted.

40 **DATE OF NEXT MEETING**

RESOLVED: That the next Standards Committee be held on 17 September 2024,
at 7:00pm.

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Chairman