



Standards Committee

**Tuesday, 8 April 2014 at 10.30 a.m.
The Board Room - Municipal Building,
Widnes**

A handwritten signature in black ink that reads 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Peter Lloyd Jones (Chairman)	Labour
Councillor Marjorie Bradshaw	Conservative
Councillor Arthur Cole	Labour
Councillor Joan Lowe	Labour
Councillor Tony McDermott	Labour
Councillor Tom McInerney	Labour
Councillor Stan Parker	Labour
Councillor Kevan Wainwright	Labour
Councillor Bill Woolfall	Labour
Mr Tony Luxton	
Mrs Anita Morris	

*Please contact Angela Scott on 0151 511 8670 or
angela.scott@halton.gov.uk for further information.
The next meeting of the Committee is to be confirmed.*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	4 - 7
2. DECLARATIONS OF INTERESTS	
<p>Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.</p>	
3. THE LEADER & CHIEF EXECUTIVE WILL ATTEND TO DISCUSS STANDARDS ISSUES	
4. STANDARDS UPDATE	8 - 10
5. SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	

PART II

In this case the Board has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is **RECOMMENDED** that under Section 100A(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

- 6. COMPLAINT - THE MONITORING OFFICER WILL REPORT VERBALLY ON A COMPLAINT RECEIVED**

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

STANDARDS COMMITTEE

At a meeting of the Standards Committee on Wednesday, 4 September 2013 in the Marketing Suite, Municipal Building

Present: Councillors P. Lloyd Jones (Chairman), Cole, J. Lowe, T. McInerney, Parker, Wainwright, Woolfall and Mr A. Luxton (Co-optee)

Apologies for Absence: Councillors M. Bradshaw and McDermott and Mr R Radley

Absence declared on Council business: None

Officers present: M. Reaney and A. Scott

Also in attendance: Professor D Norman and Mrs D Howard

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

STC1 MINUTES

Action

The minutes of the meeting held on 13 February 2013, having been printed and circulated, were signed as a correct record.

In considering the minutes, the following points were raised:-

- STC11 – the importance of ensuring that all Parish Council Register of Interest forms were completed and returned to the Monitoring Officer.
- STC12 an invitation be extended to the Leader of the Council and to the Chief Executive to attend the next meeting of the Committee, to discuss their respective roles and responsibilities relating to leadership in public office.
- STC13 – Dispensations in Budget Decisions – the Monitoring Officer advised the Committee that prior to the meeting of full Council which

considered and set the Council Tax for 2013/14, the majority of Members had applied for a dispensation which enabled them to take part in discussions and decision making.

STC2 STANDARDS COMMITTEE ANNUAL REPORT

The Committee considered a report of the Operational Director, Legal and Democratic Services /Monitoring Officer, which summarised the work of the Committee in the last Municipal Year.

The Committee noted that there had been major changes to the Standards Committee following on from the implementation of the relevant provisions of the Localism Act 2011. The Standards Committee was now made up of nine Elected Members and two co-opted Independent Members - Mr Tony Luxton and Mrs Anita Morris. It was reported that the positions for the two co-opted Parish Council Members had remained vacant throughout the year.

It was further noted that the Council had appointed three independent persons under the provision of the Localism Act, and all were invited to each meeting of the Committee. The Committee met three times during the year.

The Monitoring Officer reported that upon inspection, he was satisfied that the Register of Gifts and Hospitality was being used appropriately by Elected Members. In addition, the Committee had received a report on the changes to the format for the consideration of complaints, which had been approved and formally endorsed by full Council. A revised Code of Conduct for Members and Co-opted members had been considered by the Committee and referred to full Council for adoption in July 2012. This incorporated the new Statutory Classes of Disclosable Pecuniary Interests and Other Disclosable Interests.

It was also reported that training was made available to all Members of the Council on the effects of the new Code and the registration and declaration requirements. Members considered the frequency and effectiveness of training for Elected Members on such issues including the promotion of high standards of conduct by Councillors. Consideration was given to the production of a concise document which acted as an aide memoir for Members. In addition, Members also requested clarity on the definition of a politically restricted post and requested details of such posts identified within the Authority.

Other guidance and documents considered by the Committee during the year included the Department for Communities and Local Government guidance on personal interests, a report on Standards in Public Life, the role of Parish Clerks and consideration of the position with regard to dispensations for Members taking decisions on the setting of Council Tax.

RESOLVED: That

- 1) the report be noted and referred to Council for information; and
- 2) a report be brought to the next meeting of the Committee which provided detail on the politically restricted posts identified within Halton Borough Council.

STC3 DECLARATION OF INTERESTS OF MEMBERS

The Committee considered a report of the Operational Director, Legal and Democratic Services/Monitoring Officer, on the local application of the systems for the Declarations of Interests by Members in order to maintain the values of good governance and ethical behaviour.

Members were reminded that the fourth annual report on Declarations of Interest by Members was considered at its meeting on 17 July 2012. This highlighted the importance of integrity in local government, with the report introducing the new concept of disclosable pecuniary interests and other disclosable interests, which had been established by the Localism Act 2011. Members were reminded that failure to disclose a disclosable pecuniary interest or to take part in a decision when they existed, could amount to a criminal offence.

The new Code of Conduct had been considered and approved by the Committee at the same meeting, and was subsequently adopted by full Council in July 2012. It was reported that, following adoption, the Register of Interests was updated to take account of the requirements of the Act, and the necessary publication on the Council's web site of Members' interests completed.

It was noted that the Council had a challenging culture on Declarations of Interests for which the prime responsibility rested with individual Members. However, the report outlined how the practical expression of the culture

operated, which included a reminder at the start of meetings, guidance available from the Monitoring Officer, the completion of the Register of Interests, the annual opportunity to update the Declaration forms as well as engaged involvement by the Standards Committee.

The report further updated Members on the Register of Gifts and Hospitality in which Members declared any gifts or hospitality worth £50 or more, which had been received in connection with official duties as a Member. The Monitoring Officer regularly inspected the Register and it was reported that between 1 May 2012 and 30 April 2013 there had been six entries made by Members and twenty by Officers.

RESOLVED: That the report be noted.

STC4 STANDARDS UPDATE

The Operational Director, Legal and Democratic Services/ Monitoring Officer provided the Committee with an update on issues which had arisen in other parts of the country, which provided an insight into the kind of issues faced and the manner in which they had proceeded.

Details on recent cases were given from the following authorities:

- Cornwall;
- Cheshire West and Chester;
- Wigan;
- Cheshire East;
- Sheffield;
- Cotswold District;
- Weymouth and Portland;
- Westbury (Wiltshire);
- Kirklees;
- Thanet (Kent); and
- Scarborough.

The Committee commented that they found these reports to be very useful and helpful in terms of Members' learning and development, and that there was potential to share best practice.

RESOLVED: That the report be noted.

Meeting ended at 3.10 p.m.

REPORT TO:	Standards Committee
DATE:	8 th April 2014
REPORTING OFFICER:	Operational Director Legal and Democratic Services/Monitoring Officer
SUBJECT:	Standards Committee Update
PORTFOLIO:	Leader
WARDS:	Boroughwide

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of Standards issues which have arisen in other parts of the country

2.0 RECOMMENDATION: That the Report be noted

3.0 SUPPORTING INFORMATION

- 3.1 Members' attention is drawn to a number of press articles attached to this report concerning Standards issues in other parts of the UK.
- 3.2 The intention is to give Members a flavour of matters dealt with by other authorities, how the local codes have been interpreted, and the way sanctions have been imposed. It is hoped that this will prompt discussion at the meeting.

4.0 POLICY IMPLICATIONS

- 4.1 None

5.0 OTHER IMPLICATIONS

- 5.1 None

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None

6.2 Employment, Learning and Skills in Halton

None

6.3 A Healthy Halton

None

6.4 A Safer Halton

None

6.5 Halton's Urban Renewal

None

7.0 RISK ANALYSIS

7.1 No key issues have been identified which would require control measures.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 The Report of itself does not contain any specific equality and diversity issues.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

9.1 None under the meaning of the Act.

Northern Echo – 6/1/14

http://www.thenorthernecho.co.uk/news/10916965.Leading_Stockton_councillor_to_be_investigated_for_alleged_breach_of_code_of_conduct/

This is Local London – 5/3/14

http://www.thisislocallondon.co.uk/news/11053933.Coleman_labelled_unapologetic_miscreant_for_disposing_of_council_laptop/

Liverpool Echo – 30/12/13

<http://www.liverpooecho.co.uk/news/liverpool-news/councillor-apologises-after-being-recorded-6455439>

Local Government Lawyer – 2/1/14

http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=16722%3Acouncillor-loses-bid-to-have-code-of-conduct-decision-judicially-reviewed&catid=59&Itemid=27

Daily Mail – 28/3/14

<http://www.dailymail.co.uk/news/article-2591813/Ex-Ukip-councillor-wife-avoid-jail-scamming-25-000-benefit-fraud.html>

Daily Post 23/1/14

<http://www.dailypost.co.uk/news/north-wales-news/gwynedd-councillor-suspended-following-unfounded-6555276>