

## 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.*