

SOUTH RIBBLE BOROUGH COUNCIL

STANDARDS COMMITTEE

Meeting held at 4.30 pm on Thursday 6 December 2007

Present: Councillor Palmer (in the chair)
Councillors Hancock and Heyworth

Independent Members: Mr S Ellison and Mr R Hopkins

Parish/Town Council
Representative: Parish Councillor Mrs E Houghton

In Attendance: John Dakin (Monitoring Officer and Corporate Director (Policy and Governance)), David Whelan (Legal Services Manager) and Carol Eddleston (Democratic Services Officer)

Public Attendance: There were no members of the public in attendance.

Other Officers and
Members: There were no other officers or members in attendance.

1. Introduction

The Chairman welcomed members to the first meeting of the current municipal year. Members joined the chairman in welcoming Councillor Hancock's return following his ill health earlier in the year.

RESOLVED: that the committee thank Councillor Breakell for his chairmanship of the committee since 2003.

2. Apologies for Absence

An apology for absence was submitted on behalf of Councillor Sharratt.

3. Appointment of Vice-chairman

RESOLVED: that Councillor Heyworth be appointed vice-chairman of the Standards Committee for the municipal year 2007/8.

4. Minutes of the Last Meeting

RESOLVED: that the minutes of the meeting held on 23 April 2007 be approved as a correct record and signed by the chairman.

5. Declarations of Interest

The Legal Services Manager informed the meeting that borough council members might choose to declare a prejudicial interest on agenda item 7 Request for Dispensation – Debate on Concessionary Travel as they were over 60 years of age. If they did so and chose to leave the meeting for this item the independent members would be able to discuss the issue and vote thereon. The age of independent members was not relevant for this matter.

A number of councillors, including Councillors Hancock and Palmer had already applied for a dispensation in respect of this issue so that they would be able to take part and vote in any debates relating to the issue. Councillor Heyworth indicated that he also wished to apply for a dispensation.

6. Annual Report on Ethical Standards

Members considered a draft Annual Report on Ethical Standards.

The Corporate Director (Policy and Governance) confirmed that the Standards Board for England would inform a member if he or she was the subject of a complaint.

The Corporate Director (Policy and Governance) was pleased to say that, as far as was known, there had been no findings of maladministration against the council by the Ombudsman since 1974. Ombudsman cases were those where the complainant was still not satisfied after the council's own three-stage complaints process.

RESOLVED: that the Monitoring Officer be authorised to finalise the report in consultation with the chairman.

7. Implications of the Local Government and Public Involvement in Health Act 2007

The Chairman said that detailed regulations would be issued in due course but it was likely that there would be more work for this committee in the future. The Corporate Director (Policy and Governance) confirmed that all the indications were that the chairs of standards committees would in future need to be independent.

In response to a question from Parish Councillor Mrs Houghton, the Corporate Director (Policy and Governance) confirmed that, as far as was known, the Act did not address the issue of a time limit for submission of evidence in support of an allegation against a member, as raised on previous occasions by Councillor Sharratt. He said that if government felt that this was appropriate it would be catered for in the detailed regulations.

The Corporate Director (Policy and Governance) suggested it would be appropriate at this stage to look at training for standards committee members. North West Employers had devised a workshop for standards committee members which this council's members might feel would be suitable for them.

The Corporate Director (Policy and Governance) advised that the committee needed to devise a complaints procedure specifically for standards issues and prepare publicity for its new procedures. Councillor Heyworth suggested that publicity about the committee and its procedures could be included in the Spring edition of Forward.

In response to questions from members the Corporate Director (Policy and Governance) said it was not possible to foresee how many allegations would be made against this council's members. However, the arrangements for the committee would have to change, including the frequency of meetings. Detailed regulations are awaited. In the meantime the council would endeavour to find out from the Standards Board for England how many allegations had been passed to them and rejected without further investigation.

RESOLVED: 1) that arrangements be made for training for standards committee members, and

2) that work commence on drafting procedures for the handling of allegations against members and associated guidance and publicity, and

3) that details of the number of allegations against South Ribble Borough, Parish and Town Council members submitted to the Standards Board for England be communicated to the committee.

8. Request for Dispensation – Debate on Concessionary Travel

Councillors Hancock, Heyworth and Palmer declared a prejudicial interest in this item and left the room. Mr Ellison took the chair.

The Legal Services Manager explained that Cabinet would be considering an item on concessionary travel at its meeting on 12 December which would probably in due course also be debated at full Council and subsequent Cabinet and Council meetings. Over 50% of cabinet members and council members were over the age of 60 and, as such, the public might perceive that they had a prejudicial interest in this item as it could have a bearing on their financial interests. Where over 50% of members had a prejudicial interest in an item the Standards Committee could consider individual applications for dispensation, which would enable members to take part and vote in any debates. Without dispensation there was a danger that the meetings at which the issue was to be debated would be inquorate. Members over the age of 60 had therefore been invited to consider whether they wished to apply for dispensation.

Requests for dispensation had already been received from Councillors Mrs Beattie, Mrs Blow, Breakell, Clark, Coulton, Mrs D Gardner, Hancock, Hanson, Hesketh, Heyworth, Kelly, McNulty, Otter, Owen, Palmer, Sharratt, Mrs M Smith, D Suthers, Mrs M Suthers, Titherington and Yates.

Mssrs Ellison and Hopkins and Parish Councillor Mrs Houghton acknowledged that public perception was a key factor and it was agreed that dispensation should be granted to all those members who had already made a request. They also felt that any additional requests that were received should be dealt with by a delegated decision by the Corporate Director (Policy and Governance), in consultation with Mr Ellison.

RESOLVED: 1) that dispensation to enable members to take part and vote in any debates relating to the issue of concessionary travel be granted to Councillors Mrs Beattie, Mrs Blow, Breakell, Clark, Coulton, Mrs D Gardner, Hancock, Hanson, Hesketh, Heyworth, Kelly, McNulty, Otter, Owen, Palmer, Sharratt, Mrs M Smith, D Suthers, Mrs M Suthers, Titherington and Yates, and

2) that other requests for dispensation in relation to this matter be dealt with by a delegated decision by the Corporate Director (Policy and Governance), in consultation with Mr Ellison.

.....(Chairman)

The meeting finished at 5.20pm.