

Standards Committee Minutes

The minutes of the Standards Committee meeting of Wyre Borough Council held on Thursday, 16 March 2023 at the Committee Room 2 - Civic Centre.

Standards Committee members present:

Councillors Catterall, Orme, Sir R Atkins, Gerrard and Swales

Failed to attend or tender apologies for absence

Councillor B Birch

Officers present:

Mary Grimshaw, Legal Services Manager and Monitoring Officer
Jane Collier, Human Resources Manager and Deputy Monitoring Officer
George Ratcliffe, Assistant Democratic Services Officer
Marianne Unwin, Democratic Services and Scrutiny Manager (Temporary)
David Gregson, Independent Person

No members of the public or press attended the meeting.

The Chair, Councillor Catterall, welcomed the new Independent Person, David Gregson, and thanked him for his attendance.

27 Declarations of Interest

In response to a question, the Monitoring Officer clarified that members did not need to declare an interest for item 7 as the identity of the subject member was private and Members were being asked to note the report. Therefore they were not making a decision involving the subject members.

There were no declarations of interest in relation to the items on the agenda.

28 Confirmation of minutes

The minutes for the meeting of the Standards Committee held on 16 June 2022 were **confirmed** as a correct record by those who were in attendance.

29 Dispensation for all councillors to participate and vote on matters relating to the council's Localised Council Tax Support Scheme (LCTS)

The Monitoring Officer, Mary Grimshaw, submitted a report on a dispensation for all councillors. The purpose of this report was to agree to a dispensation

under section 33 of the Localism Act 2011, for all councillors to participate and vote on matters relating to the council's Localised Council Tax Support Scheme (LCTS).

The MO introduced the report.

In response to a question, the MO clarified that the Code of Conduct states that where a matter arises at a meeting which directly related to a member's financial interest or well-being or financial interest or well-being of a relative or close associate, members must disclose the interest and not take part in the discussion or vote. However, the Localism Act 2011 made the provision for councils to grant dispensations for particular circumstances, as laid out in the report.

In response to a question regarding the monitoring of councillors' interests, the MO explained that members were personally responsible for registering and declaring their own interests. If it was found that a councillor did not declare an interest at a meeting that they did have an interest in, this could be dealt with through the procedures for dealing with an alleged breach of the Code of Conduct. The MO suggested that if councillors needed clarification regarding the disclosure of interests, they should seek her advice.

Following further discussions, it was **agreed**:

- That a dispensation is granted to all councillors to participate and vote on the setting of the council's LCTS until 15 March 2027 for the purposes of the Local Government Finance Act 2012, on the grounds that it is in the interests of persons living in the Borough for as many members as possible to be able to debate and decide on this issue.
- That the Monitoring Officer in consultation with the Chair of the Standards Committee has delegated power to grant dispensations when it is not expedient to wait until the next scheduled Standards Committee meeting.

30 Updated Procedures for dealing with alleged breaches of the Code of Conduct

The Monitoring Officer, Mary Grimshaw, submitted a report that clarified the procedures for dealing with alleged breaches of the Code of Conduct. The purpose of the report was to present to members an updated procedure for dealing with complaints regarding alleged breaches of the Councillor's Code of Conduct.

The MO introduced the report and summarised that the procedure for dealing with complaints has been reviewed and updated to ensure that it was up to date and in line with the new Code.

Following discussions regarding appropriate sanctions for councillors in breach of the Councillor's Code of Conduct, the committee **agreed**:

- To consider the procedure with amendments set out in Appendix 1.

31 Updated Guidance for Councillors and Officer on Gifts and Hospitality

The Monitoring Officer, Mary Grimshaw, submitted a report that clarified the guidance for councillors and officers on gifts and hospitality.

The MO introduced the report. She explained that the guidance had been reviewed, resulting in an amendment in section 6 to include gifts received from the same source which cumulatively were over the value of £50 in a 12 month period. This brought the guidance in line with that for officers.

In response to a question regarding token gifts, the MO confirmed that small, token gifts with no real monetary value can be accepted and did not need to be declared.

It was **agreed**:

- To consider the guidance documents with amendments set out in Appendix 1.

32 Current Complaints: Summary

The Monitoring Officer, Mary Grimshaw, submitted a report advising the Standards Committee of the number and current status of complaints under the Councillor's Code of Conduct received since the last meeting, which had been, or were to be, considered by the MO and Independent Person(s). A schedule summarising the complaints of the alleged breaches of the Council's Code of Conduct was included as an appendix to the report.

The MO summarised the complaints.

It was raised that several councillors had limited knowledge about Standards Hearing procedures. The MO suggested that a 'mock' Standards Hearing session might be beneficial, specifically before an official hearing was to be scheduled.

The Deputy Monitoring Officer (DMO) mentioned the complaints received in the last period have been very minor and 75% of the complaints were not in breach. The DMO explained social media and the use of inappropriate language were the common causes of complaints. The MO mentioned that in 2019, social media was highlighted as an issue and training was provided. The MO suggested after the election training could be provided again.

Some members questioned the limited information provided in the summary of complaints. The DMO explained that they were unable to report any more detail of alleged breaches as that would risk the identification of the subject member(s) involved. The MO added that the council's procedure of reporting alleged breaches was in line with other local authorities across Lancashire.

The Committee asked about the procedure for receiving multiple complaints about a single councillor. The DMO explained that they would go through the Code of Conduct and procedures. They were unable to monitor every councillor's social media and only receive information through the complaints process which they rely on. The more serious complaints could result in a Standards Hearing. The MO added that they were restricted to certain sanctions that were permitted through the legislation.

Following discussion, it was **agreed**:

- To note the outcome of the concluded complaints and the progress of those still outstanding.

33 Date of next Meeting

The next meeting of the Standards Committee was to be held on Thursday 22 June 2023.

The meeting started at 6:00 pm and finished at 6:27 pm.

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