

Standards Committee

Minutes



Date:	Wednesday, 8 October 2014
Venue:	Town Hall, St Annes
Committee members:	Councillor David Donaldson (Chairman) Councillors Brenda Ackers, David Chedd, Sue Fazackerley, Vivienne M Willder
Independent Persons:	Mr A Mozley, Mr B Horrocks and Mr R Ellwood
Other Councillors:	Councillor Karen Buckley
Officers:	Mike Dudfield, Tracy Morrison, Ian Curtis, Katharine McDonnell

1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members.

There were no declarations on this occasion.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Standards Committee meeting held on 3 April 2014 as a correct record for signature by the Chairman.

3. Substitute members

There were no substitutions on this occasion.

4. Local Statistics – Issues Raised with the Monitoring Officer

Ms Tracy Morrison (Monitoring Officer) introduced the report. She explained that she was responsible for making an initial assessment of complaints and deciding whether to investigate them. The Standards framework placed an emphasis on working with individuals to bring about mutually acceptable solutions, and ensuring that breaches did not re-occur. Where it appeared that there may have been a breach, the Monitoring Officer may refer a matter for investigation.

The report listed a number of allegations made since the previous meeting of the Standards Committee, both for Borough and Parish Councils. Ms Morrison advised, however, that whilst all Standards related concerns were communicated to the Committee, not all would become complaints.

It was RESOLVED:

- 1 To note the report.

5. Review of the Code of Conduct

Ms Tracy Morrison (Monitoring Officer), advised members that the proposed review of the Code of Conduct was twofold. She reminded members at the last meeting, it had been agreed to recommend to Council to remove membership on another local authority as a trigger for declaring a personal interest, thus enabling members to participate in matters relating to that public body in future.

However Council had referred the matter back to Standards Committee for further consideration.

In addition, following discussions with the Deputy Monitoring Officer, Mr Mark Towers, it was suggested that a wider review of the Code of Conduct would be timely. The Code of Conduct had been in operation since 2012, and with the experience of operating under the new system, it was felt a review of the Code of Conduct and the framework surrounding it would be prudent. A review now would allow for a revised code to be in place following the local elections in 2015.

As the Code of Conduct was the same as Blackpool Council's and the deputy Monitoring Officer for Fylde, was Blackpool's Monitoring Officer, it was proposed to form a joint working group to review the Code.

Ms. Morrison also advised the matter of Borough members who were also members of Town and Parish Councils, in relation to interests, as debated and referred back to the Standards Committee, would also be a part of the work of the group.

After a discussion it was RESOLVED:

1. To form a joint working group with Blackpool Council members to review the Code of Conduct for Members and the arrangements for dealing with complaints of member misconduct.
2. To nominate Councillor Donaldson, Councillor Ackers and Councillor Chedd to represent Fylde Council on the joint working group.

6. Exclusion of the Public

The Chairman noted there were no members of the public in attendance and as such no need to formally move into private session.

7. Code of Conduct Investigation

Ms Morrison advised members that a formal investigation had been instigated following a complaint made against Councillor Charles Duffy.

The investigation had been undertaken by Mr Mike Dudfield, an independent consultant. His report outlined the allegation, background, evidence gathered, and other considerations. Mr Dudfield attended to introduce his report and assist members of the committee. His finding was that Councillor Duffy had failed to comply with paragraph 14(1) of the Code of Conduct, but had not failed to comply with paragraph 15(1) or paragraph 6.1.

Members had before them a full copy of the Investigatory Officers report. A summary report was published on the Council's website.

Following a discussion, taking into regards the findings of the investigatory officer, the view of the Monitoring Officer and Councillor Duffy's response to the findings, as reported by the Monitoring Officer and the Independent Person, the Committee RESOLVED:

1. to accept the findings of Mr Dudfield's report:
2. to encourage Councillor Duffy to offer a personal explanation to the Chairman at the next meeting of the Community Focus Scrutiny Committee: and

3. to request the Monitoring Officer to discuss the terms of Councillor Duffy's personal explanation with him before it is delivered

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