
STANDARDS COMMITTEE

Monday, 12th January 2015

Present: Hyndburn Borough Council Representatives

Councillor Harry Grayson (in the Chair); Councillors June Harrison, Bill Pinder and Kath Pratt

Independent Persons

Mrs. Patricia Higginbottom

341 Apologies for Absence

Apologies for absence were submitted from Altham Parish Councillors Thomas Fearon, Anthony Hickson and Rennie Pinder and from Reverend John Holland (Independent Person).

342 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations.

343 Welcome

The Chair welcomed Mrs. Patricia Higginbottom to her first meeting of the Standards Committee. Mrs. Higginbottom had been appointed to the Committee in the role of Independent Person.

344 Minutes of Last Meeting

The Minutes of the last meeting of the Standards Committee held on 26th November 2013 were submitted for approval as a correct record.

Resolved **- That the Minutes be received and approved as a correct record.**

345 Grant of Dispensations

The Executive Director (Legal and Democratic Services) submitted a report seeking the grant of dispensations to six members of Hyndburn Borough Council and three members of Altham Parish Council for a period of four years to enable them to speak and vote on certain issues.

Hyndburn Councillors Julie Livesey, Jenny Nedwell, Bernadette Parkinson, Joyce Plummer, Malcolm Pritchard and Paul Thompson had applied individually for dispensation to speak and vote on the following matters and their request forms were appended to the report:-

- An allowance, payment or indemnity given to Members
- Ceremonial honours given to Members
- Setting Council Tax or a precept under the Local Government and Finance Act 1992 as amended from time to time or any superseding legislation
- Setting a local Council Tax reduction scheme for the purposes of the Local Government Finance Act 2012 as amended from time to time or any superseding legislation
- Setting a local scheme for the payment of business rates, including eligibility for rebates and reductions, for the purposes of the Local Government Finance Act 2012 as amended from time to time and any superseding legislation

A dispensation had already been granted to the remaining 29 Hyndburn Borough Councillors.

Altham Parish Councillors Karen Davies, Tom Fearon and Anthony Hickson had applied for dispensation to speak and vote in respect of the setting of a Parish precept under the Local Government and Finance Act 1992, as amended from time to time or any superseding legislation. A copy of the application form signed individually by the Parish Councillors was appended to the report. A dispensation had already been granted to the remaining four Altham Parish Councillors.

The Committee was informed that the Government had taken the view that a dispensation was unnecessary and that councillors did not have a disclosable pecuniary interest in decisions relating to the setting of council tax levels. The matter had not been decided by a court and there was scope to argue that Hyndburn Borough Council and Parish Councillors potentially had a disclosable pecuniary interest when making decisions of that type as they resided in the Borough / Parish and would be required to pay any new level of council tax or precept. However, legal grounds existed to grant the requested dispensations pursuant to the Localism Act.

Resolved

- (1) **That, as requested, a dispensation be granted to the above named six Hyndburn Borough Councillors to allow them to speak and vote on the issues set out above, the dispensation to expire after a period of four years or earlier if they ceased to be members of the Borough Council; and,**
- (2) **That, as requested, a dispensation be granted to the above named three Altham Parish Councillors to allow them to speak and vote on the setting of a Parish precept under the Local Government and Finance Act 1992, as amended from time to time or any superseding legislation, the dispensation to expire after a period of four years or earlier if they ceased to be members of the Parish Council.**

The following items were submitted as urgent business with the Chair's agreement in accordance with Section 100B(4) of the Local Government Act 1972, the reason for both being that the Chair wished the matters to be discussed.

346 Local Assessment of Complaints - Update

The Executive Director (Legal and Democratic Services) gave a verbal update on local complaints which had been received against Councillors and Parish Councillors since the last meeting of the Committee. A number of complaints had related to members in their private capacity and fell outside the scope of the Code of Conduct. The Executive Director advised that Standards Committee members would be provided with refresher training on the procedure for dealing with complaints relating to breach of the Code of Conduct as they could be required to sit on either the Standards Committee Assessment Panel or the Hearing Sub-Committee.

Resolved - That the verbal update be noted.

347 Members Code of Conduct - Training

In response to a query from the Chair of the Committee, the Executive Director (Legal and Democratic Services) reported that a number of training sessions relating to the Members Code of Conduct had taken place for Hyndburn Borough Councillors and the final session was to be held at 6.00 p.m., on Monday, 19th January 2015 in the Queen Elizabeth Room at Scaitcliffe House. A separate training session was to be arranged for Altham Parish Councillors.

Resolved - That the verbal update be noted.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed