

Lancashire County Council

Conduct Committee

Thursday 16th March 2023 at 10.30 am in Committee Room 'C' - The Duke of Lancaster Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No. Item

- 1. Apologies**
- 2. Constitution, Membership and Terms of Reference** (Pages 1 - 4)
- 3. Disclosure of Pecuniary and Non-Pecuniary Interests**

Members are asked to consider any pecuniary and non-pecuniary interests they may have to disclose to the meeting in relation to matters under consideration on the agenda.

4. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any member's intention to raise a matter under this heading.

5. Date of Next Meeting

The date of the next meeting is to be confirmed.

6. Exclusion of Press and Public

The committee is asked to consider whether, under Section 100A(4) of the Local Government Act, 1972, it considers that the public should be excluded from the meeting during consideration of the following items of



business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated against the heading to the item.

Part II (Not open to Press and Public)

7. Complaint Against a County Councillor: Report of the Monitoring Officer (Pages 5 - 32)

(Not for Publication – Exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information).

L Sales
Director of Corporate Services

County Hall
Preston



Conduct Committee

Meeting to be held on Thursday, 16 March 2023

Electoral Division affected: N/A;

Constitution, Membership and Terms of Reference
(Appendix 'A' refers)

Contact for further information:

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Brief Summary

This report sets out the membership, Chair and Deputy Chair, and the Terms of Reference of the Conduct Committee for the remainder of the municipal year 2022/23.

Recommendation

The committee is asked to note:

- i) The appointment of County Councillor A Vincent as Chair and County Councillor P Buckley as Deputy Chair of the Conduct Committee for the 2022/23 municipal year;
- ii) The membership of the Conduct Committee, following the county council's Annual Meeting held 26 May 2022; and
- iii) The Conduct Committee Terms of Reference.

Detail

The county council at its Annual Meeting on 26 May 2022 agreed that the Conduct Committee shall comprise five county councillors (on the basis of three Conservative members and two Labour members). The following councillors have subsequently been nominated to service on the Conduct Committee for the 2022/23 municipal year:

P Buckley
J Fillis
G Gooch
S Serridge
A Vincent

The Full Council appointed County Councillors A Vincent and P Buckley as Chair and Deputy Chair respectively of the Conduct Committee for the 2022/23 municipal year.

A copy of the committee's Terms of Reference is attached at Appendix 'A' and can also be found in Part 2 – Article 7 of the Constitution:

<https://council.lancashire.gov.uk/ieListDocuments.aspx?CId=914&MId=2916&Ver=4&info=1&bcr=1>

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A



Conduct Committee

Composition and role

The Committee shall consist of five County Councillors.

The Committee shall meet as and when required at the request of the Monitoring Officer to undertake its functions set out in these Terms of Reference.

Terms of Reference

1. To determine whether a councillor or co-opted member has failed to comply with the Council's Code of Conduct,
2. Where it finds that a failure to comply with the Code of Conduct has occurred to determine what action, if any, to take,

PROVIDED THAT before a decision under 1 or 2 is taken the Committee must have regard to the views of an Independent Person appointed by the Full Council who shall attend meetings of the Committee for that purpose as an observer.

3. To consider whether to grant a dispensation to a member or co-opted member under section 33 of the Localism Act 2011 relieving the member/co-opted member from either or both of the restrictions in Section 31(4) of the Act by allowing him/her to participate in any discussion at a meeting or vote in relation to any matter in which they have a disclosable pecuniary interest.
4. At the request of the Employment Committee to consider a recommendation to dismiss the Head of the Paid Service, the Monitoring Officer and Chief Finance Officer and to submit views on the proposed dismissal to the Employment Committee which will then reported to Full Council for determination.

Meetings are normally open to the public but they may be excluded where information of an exempt or confidential nature is being discussed or from meetings dealing with those matters set out at Paragraph 12 below. – see Access to Information Procedure Rules set out at Appendix 'H' to this Constitution.

Agenda Item 7

(NOT FOR PUBLICATION: By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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Appendix A

(NOT FOR PUBLICATION: By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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Appendix B

(NOT FOR PUBLICATION: By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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Appendix C

(NOT FOR PUBLICATION: By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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