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| <b>Report to:</b>               | <b>COUNCIL</b>                                                                                           |
| <b>Relevant Officer:</b>        | Mark Towers, Director of Governance and Partnerships / Monitoring Officer                                |
| <b>Relevant Cabinet Member:</b> | Councillor Ivan Taylor, (former) Chair of the Standards Committee (the chair at the time of the hearing) |
| <b>Date of Meeting:</b>         | 29 September 2021                                                                                        |

## STANDARDS COMMITTEE REFERRAL

### 1.0 Purpose of the report:

1.1 To consider the referral from the Standards Committee by way of a censure, following a hearing held under the Council's Code of Conduct involving Councillor Simon Blackburn (the subject member).

### 2.0 Recommendation(s):

2.1 To accept the referral from the Standards Committee and the accompanying censure and endorse the finding of the committee into Councillor Blackburn's failure to register the gifts he received, details of which are in the published decision notice.

2.2 To note that the Code of Conduct for Members is being reviewed as a result of the LGA model code of conduct.

2.3 To affirm the view of the Standards Committee about councillors and the importance of being open and transparent in their dealings in accepting and registering such items and not to leave their conduct open to question.

### 3.0 Reasons for recommendation(s):

3.1 The Standards Committee requested Council to accept this report by way of a censure and this is the first Council meeting since the hearing.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

**4.0 Other alternative options to be considered:**

4.1 To not accept the referral from the Standards Committee.

**5.0 Council priority:**

5.1 This report does not directly affect either of the Council's priorities.

**6.0 Background information:**

6.1 At the meeting of the Standards Committee held on 20 May 2021, the Committee considered and accepted recommendations from an investigation report following a complaint received regarding Councillor Blackburn. The complaint was in regard to free platinum passes (season passes) that were given by the Blackpool Pleasure Beach Managing Director for the 2019 and 2020 seasons to Councillor Blackburn, for himself and his family and that he had failed to register them in the Council's Register of Gifts and Hospitality. There was a separate allegation but this was not proven.

6.2 The decision notice relating to the complaint has, in accordance with the Standards Committee's complaints handling procedure, been published on the [Council's website](#). The finding was that there was a breach of the Code of Conduct in respect of Councillor Blackburn's failure to declare and register gifts received from Blackpool Pleasure Beach. At the Standards Committee Councillor Blackburn accepted the findings of the hearing and apologised for his failure to register the gifts.

6.3 The following are the actions/ sanctions imposed by the Standards Committee from the hearing on 20 May 2021.

1. That by way of a censure, a report of the findings of this hearing be reported to the next ordinary council meeting for information, including reference to the apology from Councillor Blackburn.
2. That this report to Council also acts as a reminder to all councillors about the importance of being open and transparent in their dealings with accepting and registering such items and not to leave their conduct open to question.

6.4 The following were recommendations to be considered separate to the complaint itself:

1. That the provision within the current Code of Conduct for Members in relation to acceptance of and declaration of gifts and hospitality, be reviewed as part of the workshop being convened to review the current Code of Conduct in line with the Local Government Association model.
2. That emphasis in this review in particular be given to elected members being

advised to exercise caution in accepting gifts or hospitality, in order to protect their position and the reputation of the authority.

3. That following this workshop, it be noted that refresher training on the receipt of gifts and hospitality for all members of the Council will take place, with particular regard to those elected members on the Executive, company chairs and others in roles of special responsibility.

A joint workshop is being organised with three members of Blackpool Council's Standards Committee, three members of the Fylde Council Standards Committee and the three Independent Person appointed for Standards matters.

6.5 The purpose of this report is not for Council to reconsider the complaint itself as that process has already been undertaken by the Standards Committee and a decision taken. The decision involved a report to Council by way of a 'censure' - in essence for the Council to accept the report and to express its disapproval of the failure of Councillor Blackburn to not register the gifts he received. The Standards Committee requested that the decision notice and the referral to Council should reflect that Councillor Blackburn apologised for his failure to register the gifts.

6.6 Councillor Taylor, Chair of the Standards Committee at the time of the hearing will speak on this referral.

6.7 Does the information submitted include any exempt information? No

## **7.0 List of Appendices:**

7.1 The decision notice from the Standards hearing on 21 May 2021 can be viewed [on the Council's website](#).

## **8.0 Financial considerations:**

8.1 There are no financial considerations with regard to this referral to Council.

## **9.0 Legal considerations:**

9.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. S.27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by members and co-opted members of the authority. S.27 and s.28 of the 2011 Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about the alleged breach of the Code that has been investigated.

**10.0 Risk management considerations:**

10.1 Failure to not apply sanctions to findings of breaches of the Code of Conduct can damage the Council's reputation.

**11.0 Human Resource considerations**

11.1 There are no direct human resource implications from the recommendations in this item.

**12.0 Equalities considerations:**

12.1 There are no specific equality considerations with regard to this report.

**13.0 Sustainability, climate change and environmental considerations:**

13.1 None.

**14.0 Internal/external consultation undertaken:**

14.1 This is a decision notice from Standards Committee and is a report reflecting matters the committee wished to have considered by Council and no further consultation was necessary.

**15.0 Background papers:**

15.1 None.