

BROMSGROVE DISTRICT COUNCIL

SPECIAL MEETING OF THE STANDARDS COMMITTEE

WEDNESDAY, 21ST MARCH, 2007

AT 4.00 P.M.

PRESENT: Mrs. N. E. Trigg (Independent Member) (Chairman), Councillors E. C. Tibby (Vice-Chairman), Mrs. J. D. Luck, C. R. Scurrall, S. P. Shannon and Mrs. C. J. Spencer, and Mr. S. E. Allard (Independent Member)

Officers: Mrs. C. Felton, Mrs. D. Warren and Mr. A. Jessop

30/06 **APOLOGIES**

An apology for absence was received from Mr. B. Somner (Parish Councils Representative).

31/06 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

32/06 **MINUTES OF LAST MEETING**

The Minutes of the Meeting of the Committee held on the 21st February 2007 were submitted.

RESOLVED: that, subject to the following amendments, the Minutes be approved and confirmed as a correct record:-

- (i) the inclusion of Councillor C.R. Scurrall in Minute No. 21/06 (Apologies); and
- (ii) that the following words be added to recommendation (v) (Commission of Criminal Offence before taking Office) of Minute No. 28/06 (Responses to Consultation on Revised Code of Conduct), i.e. "It should also be noted that, if a prospective candidate standing for election did so whilst clearly advocating a criminal past, and that the electorate determined that it was still appropriate for that person to stand, then if that person was duly elected, there would appear to be a problem about trying to disenfranchise that electorate"

33/06 **LOCAL INVESTIGATION OF A COMPLAINT TO THE STANDARDS BOARD**

The Committee considered a complaint (Ref. SBE 16030.06) which had been referred to the Council by the Standards Board for England. for determination. The Committee therefore conducted a hearing into the complaint in accordance with the procedure produced by the Standards Board for England

and the subject Member, Councillor S.R. Peters, and the Investigating Officer were both in accord that the matter should be dealt with in the public domain. Accordingly, all relevant papers were circulated, and Councillor Peters represented himself and addressed the Committee in support of his own case.

The complaint made by Councillor J.T. Duddy was that, on the 10th January 2005, Councillor Peters failed to comply with the Council's Code of Conduct by failing to declare, at a meeting of the Council's Planning Committee, a prejudicial interest in connection with Planning Application B/2004/1389. The issue before the Committee was that, despite the personal interest which was declared at that meeting by Councillor Peters (insofar as he knew the applicant), should he have declared a further personal interest in the matter by virtue of the fact that his and his mother's home was affected by customers of and other visitors to the Timber Yard the subject of the planning application, due to inadequate parking facilities thereat and, if so, whether that additional personal interest was also a prejudicial interest. Members were asked to determine whether a decision by the Planning Committee on the planning application might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers, or inhabitants of the authority's area, the well-being or financial position of Councillor Peters and/or his mother. The Committee considered the representations from Councillor Peters together with the final report of the Deputy Monitoring Officer and, after retiring to consider their decision, were of the opinion that Councillor Peters had failed to comply with paragraph 8(2) of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 (as amended). In considering the nature of any penalty to be imposed, it was

RESOLVED: that Councillor Peters be suspended from the Planning Committee for a period of one month, and that, in addition, he be requested to attend training on the Code of Conduct for Members, to be provided by the Council, at the earliest possible opportunity.

(NOTE: A full copy of the report of the Hearing is appended to these Minutes).

The meeting closed at 5.55 p.m.

Chairman