

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

FRIDAY, 17TH DECEMBER 2010 AT 10.00 A.M.

PRESENT: Independent Members: Mr. N. A. Burke (Chairman), Ms. K. J. Sharpe (Vice-Chairman) and Mrs. G. Bell
Councillors: D. L. Pardoe (substituting for Mrs. A. E. Doyle)
Parish Councils' Representatives: Mr. J. Cypher and Mr. I. A. Hodgetts

Invitees: Ms. B. Evans. Legal Adviser

Investigating Officers: Mr. J. Goolden and Mr. A. Tasker

Officers: Ms. D. Parker-Jones and Ms. P. Ross

The Chairman welcomed everyone to the meeting and at the request of the Chairman brief introductions were given by all those present.

22/10 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

It was noted that District Councillors Miss D. H. Campbell JP, Mrs. A. E. Doyle and E. C. Tibby who comprise the normal District Councillor membership of the Standards Committee, were affected by some of the issues under consideration and therefore would not be participating in the meeting.

23/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

24/10 **MINUTES**

The minutes of the meeting of the Standards Committee held on 22nd September 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

25/10 **EXCLUSION OF THE PUBLIC**

The Committee considered whether or not to exclude the public from the meeting for consideration of Agenda Item No. 5; Consideration of Investigating Officer's Final Reports into Member Complaints. In doing so, the Chairman announced that the meeting be adjourned to take legal advice.

Accordingly, the meeting adjourned from 10:15am to 10:44am.

Having re-convened, the Chairman summarised the legal advice which had been provided and announced it was

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraphs</u>
26/10	7C

26/10 **CONSIDERATION OF INVESTIGATING OFFICER'S FINAL REPORTS INTO MEMBER COMPLAINTS**

There were two sets of complaints to be considered.

Further to a referral from the Standards Assessment Sub-Committee in September 2009, the Committee was asked to give consideration, under Regulation 17 of the Standards Committee (England) Regulations 2008, to a number of complaints made against members of the Council in relation to actions and behaviour during the Full Council meeting held on 29th July 2009.

The second set of complaints related to the meeting of Full Council on 20th January and other associated matters had been considered by the Standards Assessment Sub-Committee on 3rd March 2010. The decision of the Standards Assessment Sub-Committee was that the matters be referred to Standards for England for investigation. Following initial acceptance of these, Standards for England subsequently referred the matters back to the Monitoring Officer with a direction that they be included as part of the ongoing local complaints relating to the 29th July 2009 meeting of Full Council.

The Investigating Officer had produced two reports for each of the Councillors concerned. The first report dealt with the matters arising from the meeting of the Full Council held on 29th July 2009 and the second report related to the meeting of the Full Council held on 20th January 2010 and linked issues.

The Investigating Officer responded to Members' questions and provided clarification on the issues raised. Following a detailed and considered debate and further questioning on the Investigating Officer's comprehensive reports it was:

RESOLVED:

In relation to the 2009 Complaints

- (a) that the Investigating Officer's findings of no failure ("a finding of acceptance") in relation to the allegations against all bar one of the

Councillors, as detailed in the Investigating Officers final report, to comply with the Code of Conduct of Bromsgrove District Council in relation to their actions at the meeting of the Full Council on 29th July 2009 be accepted; and

- (b) that the Investigating Officer's finding of a failure in relation to the allegations against one Councillor, as detailed in the Investigating Officers final report, to comply with the Code of Conduct of Bromsgrove District Council in relation to their actions at the meeting of the Full Council on 29th July 2009, be considered at a hearing of the Standards Committee.

RESOLVED:

In relation to the 2010 Complaints

- (a) that the Investigating Officer's findings of no failure ("a finding of acceptance") in relation to certain allegations against the Councillors, as detailed in the Investigating Officers final report, to comply with the Code of Conduct of Bromsgrove District Council in relation to their actions at the meeting of the Council on the 19th January 2010 and 20th January 2010 be accepted; and
- (b) that the Investigating Officer's findings of failure in relation to certain other allegations against the Councillors, as detailed in the Investigating Officers final report, to comply with the Code of Conduct of Bromsgrove District Council in relation to their actions at the meeting of the Council on 20th January 2010, be considered at a hearing of the Standards Committee.

The meeting closed at 3.24 p.m.

Chairman