

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

FRIDAY, 27TH APRIL 2012 AT 12.30 P.M.

PRESENT: Independent Member: Mrs. G. Bell

Councillor: Mrs. M. A. Sherrey JP

Parish Councils' Representatives: Mr. J. Cypher and Mr. I. A. Hodgetts

44/12 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr. N. A. Burke (Chairman, Independent Member), Ms. K. J. Sharpe (Vice-Chairman, Independent Member) and District Councillors Mrs. S. J. Baxter, S. R. Colella and L. C. R. Mallett.

45/12 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

46/12 **EXCLUSION OF THE PUBLIC**

The Committee considered whether or not to exclude the public from the meeting for the consideration of Agenda Item No. 4; Consideration of Investigating Officer's Final Report into Complaint Reference 01/11.

The Legal Advisor to the Committee advised that if the Committee decided to lift the exemption for the purpose of the Consideration Meeting, the exemption would not be applied to the agenda and report for any Final Determination Hearing.

The Committee agreed to lift the exemption as it was not felt that the public interest in maintaining the exemption outweighed the public interest in disclosing the information. It was however noted that the Investigating Officer's Report contained references to the name of the Subject Member's partner, which was personal data, and which would therefore remain subject to exemption and would be redacted from the public version of the report.

RESOLVED that the public not be excluded from the meeting during the consideration of Agenda Item No. 4 and that the relevant reports therefore be placed in the public domain.

47/12 **CONSIDERATION OF INVESTIGATING OFFICER'S FINAL REPORT INTO COMPLAINT REFERENCE 01/11**

Further to a referral from the Standards Assessment Sub-Committee on 23rd November 2011, the Committee was asked to give consideration, under regulation 17 of the Standards Committee (England) Regulations 2008, to a complaint made against District Councillor Dr. D. W. P. Booth JP. The complaint was that Councillor Dr. Booth had allegedly failed to declare a personal and prejudicial at a meeting of the Cabinet on 5th October 2011.

Members were asked to consider the Investigating Officer's Report and finding as to whether there had been a failure on the part of Councillor Dr. Booth to comply with the Bromsgrove District Council Code of Conduct.

The Committee determined that the matter should be considered at a hearing of the Standards Committee. Members then went on to consider whether there were any issues which might arise during the pre-hearing process.

A Member requested that the Investigating Officer be asked whether there was a record of the interview which had taken place between the Investigating Officer and Councillor Dr. Booth on 14th December 2011, and which might therefore be produced for the Committee's information at the Final Determination Hearing. The Legal Advisor stated that she would speak with the Investigating Officer to make the necessary enquiries in this regard.

RESOLVED:

- (a) that the Investigating Officer's finding of a failure by Councillor Dr. Booth to comply with the Bromsgrove District Council Code of Conduct be considered at a hearing of the Standards Committee conducted under regulation 18 of the Standards Committee (England) Regulations 2008; and
- (b) that the Legal Advisor speak with the Investigating Officer in relation to the additional information sought by the Committee as detailed in the preamble above.

The meeting closed at 12.54 p.m.

Chairman