



**MINUTES**

**STANDARDS COMMITTEE**

**1.00 p.m. – 2.40 p.m.**

**27 April 2009**

Present:	<b>Independent Members</b>	<b>Elected Members</b>	<b>Officers</b>
	Mr P Franzen, Chair	Councillor Bearman	Monitoring Officer
	Mr C Thrower, Vice Chair	Councillor Driver	Solicitor to the Council
		Councillor Holmes	Scrutiny Officer
		Councillor Blakeway	
		Councillor Gihawi	
		Council Lubbock	

**1. DECLARATIONS OF INTEREST**

None.

**2. MONITORING OFFICER**

At the request of Mr P Franzen, the monitoring officer explained that the committee was able to consider items 2 and 3 - the investigating officer's report in public session. The press and public would need to be excluded from the meeting once detailed debate took place when referring to appendices A and B as these contained exempt information (see minute 4).

**3. CODE OF CONDUCT ALLEGATIONS**

With the agreement of the members the investigating officer, Solicitor to the Council, outlined Code of Conduct Allegation – Case Reference AS0802 and Code of Conduct Allegation – Case Reference AS0803 consecutively.

**Code of Conduct Allegation – Case Reference AS0802**

The Solicitor to the Council presented his report on the investigation carried out in respect of complaints which alleged the following breach of the Code of Conduct as set out in appendix B of the report in paragraph 2. The most relevant Code of Conduct paragraph was paragraph 5.

Details were reported on the investigations carried out and as set out in the report. The Solicitor to the Council summarised the material facts surrounding the allegations and expanded on the reasoning why on the balance of the evidence provided there had not, in his view, been a failure to comply with the Code of Conduct.

#### **Code of Conduct Allegation – Case Reference AS0803**

The Solicitor to the Council presented his report on the investigation carried out in respect of complaints which alleged the breach of the Code of Conduct as set out in appendix B of the report – paragraph 3 onwards. The relevant Code of Conduct paragraph is paragraph 5.

Details were reported on the investigations carried out and as set out in the report. The solicitor to the council summarised the material facts surrounding the allegations and expanded on the reasoning why on the balance of the evidence provided there had not, in his view, been a failure to comply with the Code of Conduct.

#### **4. EXCLUSION OF THE PRESS AND PUBLIC**

It was proposed, seconded and

**RESOLVED** that under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph(s) 1, 2 and 7C of Part 1 Schedule 12A of the act (as amended).

#### **5. DETERMINATION – CODE OF CONDUCT ALLEGATION – CASE REFERENCE AS0802**

On the basis of the outcome of the investigation carried out and the content of the comprehensive report provided by the Solicitor to the Council the committee concurred with the findings of the report that there had not been a breach of the Code of Conduct – paragraph 5.

#### **RESOLVED -**

- (1) to accept the Solicitor to the Council's finding of no breach;
- (2) not to carry out a hearing of the case because the Standards Committee considered that on balance of the evidence provided and the investigations carried out that the allegation of a Code of Conduct breach against the councillor concerned had not resulted in them conducting themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

**6. DETERMINATION – CODE OF CONDUCT ALLEGATION – CASE  
REFERENCE AS0803**

After voting 7 – 1 in favour; and on the basis of the outcome of the investigation carried out and the content of the comprehensive report provided by the Solicitor to the Council the committee concurred with the findings of the report that there had not been a breach of the Code of Conduct – paragraph 5.

**RESOLVED -**

- (1) to accept the Solicitor to the Council's finding of no breach;
- (2) not to carry out a hearing of the case because the standards committee considered that on balance of the evidence provided and the investigations carried out that the allegation of a Code of Conduct breach against the councillor concerned had not resulted in them conducting themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

CHAIR