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Contact Officer: Andrea Woodside - Tel. 01484 221715

**KIRKLEES COUNCIL**  
**STANDARDS COMMITTEE**

**Tuesday 7 December 2010**

Present: Councillors Hardcastle, Patrick, Ridgway, C Smith, K Smith and Sokhal

Co-opted Members: Mr P Blythe (in the Chair), Mr D J Binns, Councillor C Kaye, Councillor P Cunnington, Prof A Kitson, Mr R Helm and Mrs J Gregory

**1 Minutes of Previous Meeting**

**RESOLVED** - That the Minutes of the Committee held on 12 October 2010 be approved as a correct record.

**2 Interests**

No interests were declared.

**3 Admission of the Public**

It was noted that all agenda items would be considered in public session.

**4 Deputations/Petitions**

No deputations or petitions were received.

**5 Public Question Time**

No questions were asked.

**6 Update on Complaints**

The Senior Legal Officer tabled a report which set out the latest position on the complaints investigation process. The Committee noted that there were currently 12 live complaints.

An update was also provided on the hearing which was held on 6 December 2009.

Discussion also took place regarding the future determination of Standards issues in view of the pending abolition of the Standards Regime. An update on the proposals for the future of Standards in local government was tabled for information. It was requested that this information be circulated to all Councillors, relevant Co-optees and Parish Council Clerks.

**RESOLVED -**

(1) That the complaints update be noted.

(2) That the Acting Assistant Director - Legal and Governance be asked to progress discussions with Senior Members as to the future of Standards issues within the Authority.

(3) That the Standards for England update, dated 30 November 2010, be circulated to all Councillors, relevant Co-optees and Parish Council Clerks.

**7 Recent Work Undertaken by Standards Committee**

The Committee considered a report which provided an update on recent decisions of the Standards Sub-Committees in assessing and reviewing complaints about Member conduct.

Discussion took place with regards to the decisions of the recent determination hearings. It was requested that all Standards Committee Minutes be informed of the future meeting dates of its Sub-Committees so that they may attend in an observational capacity should they wish to do so.

**RESOLVED -** That the update report be noted.

**8 Partnership Behaviour Protocol**

The Committee received a report which provided an overview of guidance produced by Standards for England on partnership working arrangements. The protocol, as attached as an annex to the report, provided for the development of a shared set of values and behaviours between the various agencies involved in partnership working.

Lengthy discussion took place regarding the use and implementation of the protocol. The Committee noted that the protocol intended to provide high quality leadership, good decision making, clarity in relation to roles and successful working relationships. It was noted that the pending abolition of the Standards Regime would not necessarily undermine the protocol but could arguably strengthen the case for its implementation. The Committee were of the view that, given that the protocol was intended to promote good governance standards, the report be referred to Corporate Governance and Audit Committee for comment, particularly in relation as to how it should be applied.

**RESOLVED -** That the Partnership Behaviour Protocol be referred to Corporate governance and Audit Committee for comment.

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Contact Officer: Adrian Johnson - Tel. 01484 221712

## **KIRKLEES COUNCIL**

### **STANDARDS SUB-COMMITTEE (DETERMINATION HEARING)**

**Monday 6 December 2010**

Present: Councillor C M L Smith

Co-opted Members: Mr D J Binns (in the Chair), Councillor P Cunnington

**1 Interests**

No interests were declared.

**2 Exclusion of the Public**

The Committee determined that the public be allowed in the meeting during discussion of the business.

**3 Consideration Hearing - Complaint 2009-022**

The Committee considered documentation in relation to complaint 2009-022 and heard representations from the complainant and Councillor Battye, including representations made by their respect witnesses.

**RESOLVED -**

(1) That the Sub-Committee finds that Councillor Battye was in breach of paragraph 3(1) of the Kirklees Council Code of Conduct in that he had failed to treat Mr Ahmed with respect during the course of both incidents but that Councillor Battye was not in breach of paragraph 5 of the Kirklees Council Code of Conduct in that he could not reasonably be regarded as bringing his office or Kirklees Council into disrepute.

(2) That Councillor Battye should be suspended for a period of two months or until such time as he has submitted a written apology to Mr Ahmed in a form approved by the Chair of the Sub-Committee, such suspension to commence on Friday 17 December 2010.

(3) That Councillor Battye be advised of his right to seek permission from the First-Tier Tribunal (Local Government Standards for England) to appeal against the decision of the Sub-Committee.