

Standards Committee : 14 May 2012
Title of report: Recent Work Undertaken by Standards Committee Sub-Committees

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	N/A
Is it in the Council's Forward Plan?	N/A
Is it eligible for "call in" by Scrutiny?	N/A
Cabinet member portfolio	Corporate

Electoral wards affected and ward councillors consulted: All

Public or private: Public

1. Purpose of Report

To brief Standards Committee on recent decisions by its sub-committees when assessing and reviewing complaints about member conduct and in holding consideration and determination hearings.

2. Key Points

Since the previous Standards Committee meeting on 31 January 2012 the Local Assessment Sub-Committee has made 4 decisions but the Review Sub-Committee has not met.

Local Assessment Sub-Committee

The Local Assessment Sub-Committee met on 29 February 2012 to consider complaints reference 2011-060 and 2011-061, the first complaint was referred to the Monitoring Officer for investigation and it was decided to take no further action in respect of the second.

With regard to complaint reference 2011-060, the complainant is the administrator of a town council and the complaint concerned a telephone call made by a town councillor to the complainant at their home on 3 December

2011. The councillor raised concerns about the handling of another town councillor's absences from council meetings. It is alleged that although the complainant made it clear that they could not discuss the matter, the councillor hounded the complainant to get them to reveal what they knew and implied that the complainant could find themselves in trouble if they did not do so. The complainant could hear a third party talking to the councillor and querying why the councillor was staggering and asking if the councillor had been drinking. The third party then spoke to the complainant and said they would sort the situation out. The complainant believes that the councillor had been drinking and has a problem with alcohol which makes him unworthy to be a councillor. The decision of the sub-committee was to refer the complaint to the Monitoring Officer for investigation.

With regard to complaint reference 2011–061 the complaint referred to the councillor being convicted of housing benefit fraud in the local magistrates' court following a guilty plea. The sentence included a curfew enforced by "tagging". The complainant alleged that the councillor had brought the council into disrepute and argued that the sentence was effectively one of imprisonment and the councillor should be required to resign. The sub-committee noted that the councillor had not been an elected member at the time the offending took place and that the code of conduct therefore did not apply. The sub-committee decided that no further action should be taken in respect of the complaint.

The Local Assessment Sub-Committee also met on 23 March 2012 to consider complaints reference 2011–062 and 2011-063, both complaints resulted in decisions to take no further action.

With regard to complaint reference 2011–062 the complainant alleged that a parish councillor had voted for and supported a payment of £6000 to another parish councillor for them to manage a local project. The complainant was concerned that this involved the recipient being paid for carrying out voluntary work on behalf of the parish council, was a breach of protocol and ethics and brought the parish council into disrepute. The sub-committee found that the relevant parish council minutes confirmed that the funding decision had been made by the parish council rather than by the parish councillor alone. The decision of the sub-committee was that no further action should be taken on the basis that there was insufficient evidence to demonstrate any breach of the code of conduct and the sub-committee expressed concerns that the complaint had been politically motivated.

With regard to complaint reference 2011–063 the complainant alleged that three councillors had held a private meeting with developers to discuss a major planning application without involving council officers or advising the council's Chief Executive that the meeting was taking place and that this was in contravention of the council's Planning Protocol. The complainant alleged

that the councillors had acted in a manner which could reasonable be regarded as bringing their office and the council into disrepute and had used or attempted to use their position as members to improperly confer on or secure for themselves or any other person an advantage or disadvantage. The sub-committee noted that the Planning Protocol did provide for councillors to meet developers informally without council officers being present, that at the time no planning application had been submitted and that there was no evidence that any benefit had been conferred on or secured for any party. The sub-committee believed that the complaint was politically motivated as another councillor who had attended the meeting with developers, and was from the same political party as the complainant, had not been the subject of any complaint. Accordingly the sub-committee decided that no further action should be taken in respect of the complaint.

Consideration Hearings

No consideration hearings have been held since the last Standards Committee meeting. Consideration Hearings will take place shortly for complaints reference 2008-012, 2010-040, 2011-048 and 2011-053.

Determination Hearings

No determination hearings have been held since the last Standards Committee meeting.

3. Implications for the Council

The role of the Standards Committee Sub-Committees is an important part of the process of handling complaints about member conduct and retaining confidence among members and the public that complaints are being dealt with in a timely and efficient manner.

4. Consultees and their opinions

N/a

5. Officer recommendations and reasons

It is recommended that the contents of this report be noted.

6. Cabinet portfolio holder recommendation

N/a

7. Next steps

To hold the sub-committee meetings referred to above.

8. Contact officer and relevant papers

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Background Papers:

Decision summaries for assessment decisions on complaint references 2010-060, 2010-061, 2010-062 and 2010-063.