

Standards Committee - Hearings Sub-Committee

Monday, 17th May, 2010

PRESENT:

Independent Members

Mike Wilkinson (Chair)
Joanne Austin

Councillors

C Campbell J L Carter

Parish Members

Councillor Mrs P Walker

5 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

6 Late Items

There were no late items submitted to the agenda by the Chair for consideration.

7 Declaration of Interests

There were no declarations of personal/prejudicial interests for the purpose of section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.

8 Case Reference 0809006

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the procedure to be followed by the Hearings Sub-Committee in determining allegations of misconduct against a Member of Leeds City Council. The final report of the investigator and supporting evidence were attached at Appendix 1 to the report.

The Hearings Sub-Committee considered whether the press and public should be excluded from any parts of the hearing, and whether any parts of the agenda should not be made available for public inspection. The Sub-Committee considered representations on behalf of the subject Member and

from the investigator, who did not request that the press and public be excluded from the meeting. It was agreed that, in the interests of openness and transparency, the press and public should be allowed to attend the hearing, and that all parts of the agenda should be made available for public inspection.

It was alleged that a Councillor had:

- (a) failed to treat others with respect, contrary to paragraph 3(1) of the Code of Conduct; and
- (b) conducted himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute, contrary to paragraph 5 of the Code of Conduct

On the basis of its findings of fact, the Hearings Sub-Committee found no breach of the Members' Code of Conduct.

The Sub-Committee then considered whether it wished to make any recommendations to the authority as a result of this case. The Sub-Committee recommended that the following issues be considered further:

- Whether Committee Room 6&7 is an appropriate venue for Plans Panel meetings due to its shape and configuration, overall acoustics and the current microphones system;
- The way Plans Panel members interact at Plans Panel meetings;
- Whether guidance should be provided for those who address a Plans Panel, and whether the Chair should provide guidance on how others should behave when someone is making representations to the Panel; and
- The location of speakers addressing Plans Panel meetings.

RESOLVED – The Hearings Sub-Committee resolved:

- (a) That appendices 1, 2 and 3 to the report should not be exempt under Access to Information Procedure Rule 10.4 (7c);
- (b) That on the basis of its findings of fact, there had been no breach of the Members' Code of Conduct by the subject Member; and
- (c) To recommend to the authority that further consideration is given to the issues listed above.