

Standards Committee - Consideration Sub-Committee

Monday, 13th December, 2010

PRESENT:

Independent Members

Joanne Austin (Chair)

Councillors

E Nash

B Gettings

11 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.

12 Exempt Information - Possible Exclusion of the Press and Public

In relation to agenda item 5 (Minute 15 refers), Appendix 1 (the final report and bundle of evidence of the investigating officer in relation to an investigation into a complaint against a Member), was classified as exempt under Access to Information Procedure Rule 10.4 (7c). Members of the Sub-Committee agreed that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as to publish the information would override the subject Member's right to choose whether to prohibit the publication of a notice about the outcome of the case, if the Investigating Officer's finding of no failure was accepted.

RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-

- Appendix 1 of agenda item 5 (Minute 15 refers).

13 Late Items

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

14 Declarations of Interest

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.

15 Final Investigation Report - Case Reference 0910012

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the findings of the Investigating Officer in a Code of Conduct investigation into a complaint against a Member. The investigation followed the submission of a complaint to the Assessment Sub-Committee, who had resolved to refer the complaint for investigation.

It was alleged that a Councillor had acted in a way that may cause the authority to breach an equality enactment, contrary to paragraph 3(2)(a) of the Code of Conduct, and conducted themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute, contrary to paragraph 5 of the Code of Conduct.

The Sub-Committee considered that there was no clear evidence to suggest that the Councillor had made the alleged comments, and therefore agreed to accept the Investigating Officer's finding that there had been no failure to comply with the Code of Conduct.

RESOLVED – Members of the Consideration Sub-Committee resolved to accept the Investigating Officer's finding of no failure.