

Standards Committee

Monday, 14th July, 2008

PRESENT:

Independent Members

Mike Wilkinson (Chair) (Independent Member)

Councillors

D Blackburn J Elliott
C Campbell E Nash

Parish Members

Councillor Mrs P Walker Pool in Wharfedale Parish Council
Councillor John C East Keswick Parish Council
Priestley

APOLOGIES:

Rosemary Greaves, Philip Turnpenny and J L Carter

16 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.

17 Exempt Information - Possible Exclusion of the Press and Public

The Standards Committee identified Item 5 of the agenda (minute 20 refers) as containing appendices which officers had identified as containing exempt information, and where officers considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, for the reasons outlined in the report. The Standards Committee decided to accept the officers recommendation in respect of the above information.

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:-

The final report of the Investigating Officer and the bundle of evidence in relation to a local investigation into a complaint against a Member classified as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c) as the report makes reference to the personal health situation of the Councillor, and contains the opinion of the investigating officer, which, if the report were made public, would be disclosed prior to the Committee having had the opportunity to discuss that opinion and forming their own view of it.

18 Late items

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

19 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.

20 Local Investigation into a Complaint against a Member Reference SBE 19277.07

The Chief Officer (Legal, Licensing and Registration) presented a report detailing his findings on completing an investigation into a Parish Councillor in respect of an allegation of misconduct. The investigation followed the submission of a complaint to the Standards Board for England which was subsequently referred back to the authority.

The investigating officer highlighted an error at page 35 of the agenda pack, which stated that the Councillor had resigned from office on 2nd July 2007. The investigating officer confirmed to the Committee that the Councillor had actually resigned on 2nd July 2008, and therefore was in office at the time of the alleged incident. A corrected copy of the relevant witness statement was circulated at the meeting.

The report was designated as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c).

Members of the Standards Committee had previously decided to defer their consideration of this matter until the Investigating Officer could obtain copies of the minutes from the relevant Parish Council to see if they provided any assistance. In light of the additional information Members discussed their views regarding whether the former Councillor was acting in his official capacity at the time of the incident.

Members of the Committee also discussed whether the minutes of meetings needed to be more explicit and detailed, especially when a resolution is made. It was agreed that the Committee would revisit this issue after consideration of the first local complaints.

RESOLVED – Members of the Standards Committee resolved to accept the investigating officer's finding of no failure.