



Leicester  
City Council

## **MEETING OF THE STANDARDS HEARING SUB-COMMITTEE**

**DATE: TUESDAY, 13 NOVEMBER 2018**  
**TIME: 3:00 pm**  
**PLACE: Meeting Room G.03 - City Hall, 115 Charles Street,  
Leicester, LE1 1FZ**

### **Members of the Hearing Panel**

Councillor Barton

Ms Fiona Barber (Independent Member)  
Ms Alison Lockley (Independent Member)

### **Standing Invitee:**

Mr Michael Edwards (Independent Person)

Members of the Board are invited to attend the above meeting to consider the items of business listed overleaf

for the Monitoring Officer

**Officer contact: Matthew Reeves**  
*Democratic Support, Leicester City Council*  
*City Hall, 115 Charles Street, Leicester, LE1 1FZ*  
*(Tel. 0116 454 6352)*

# Information for members of the public

## Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at [www.cabinet.leicester.gov.uk](http://www.cabinet.leicester.gov.uk), from the Council's Customer Service Centre or by contacting us using the details below.

## Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Democratic Support Officer using the details below.

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at [www.leicester.gov.uk](http://www.leicester.gov.uk) or from Democratic Support.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc.

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

## Further information

If you have any queries about any of the above or the business to be discussed, please contact Graham Carey, **Democratic Support on (0116) 454 6356 or email [matthew.reeves@leicester.gov.uk](mailto:matthew.reeves@leicester.gov.uk)** or call in at City Hall, 115 Charles Street, Leicester, LE1 1FZ.

For Press Enquiries - please phone the **Communications Unit on 454 4151**

## **PUBLIC SESSION**

### **AGENDA**

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

**3. HEARING PROCEDURE**

**A1**

**(Pages 1 - 2)**

The Monitoring Officer submits the procedure to be followed during hearings of an investigator's report regarding complaints against Councillors. The Sub-Committee is asked to note the procedure.

**4. ANY OTHER ITEMS OF URGENT BUSINESS**

**5. PRIVATE SESSION**

### **AGENDA**

#### **MEMBERS OF THE PUBLIC TO NOTE**

**Under the law, the Sub-Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.**

The Sub-Committee is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, and consequently that the Sub-Committee makes the following resolution:-

“that the press and public be excluded during consideration of the following report in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and, taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information”

Paragraph 1

Information relating to any individual

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 7a

Information which is subject to any obligation of confidentiality.

Paragraph 7c

The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5).

**6. CONSIDERATION OF INVESTIGATOR'S REPORT INTO A COMPLAINT AGAINST A COUNCILLOR - COMPLAINT NO. 2018/05** **B1**  
**(Pages 3 - 26)**

The Monitoring Officer submits a report to enable the Standards Hearing Sub-Committee to consider a complaint against a councillor following a decision of the Standards Advisory Board on 31 October 2018.

**Hearing Panel Procedure/script:**

1. Elect the Chair of the meeting
2. Introduction of the panel
3. Apologies for absence
4. Declarations of interest
5. Any other items of business
6. Private session

(Public to leave whilst deliberate points a. and b. below in order that *should* the panel decide to maintain private session no information is inadvertently made public by discussion in public.

- a. Consider if the panel should be held in private
- b. Consider if the papers should be maintained as exempt
  - *If no longer private invite the public back in; or*
  - *If remaining private move to consideration of the report*
- c. Chair explains the procedure for the hearing (following this procedure below)
- d. Consideration of the report;
  - If there are disagreements about the facts the panel may invite Investigator to make any representations necessary
  - The Panel should invite the IP to give his advice in relation to the facts of the complaint and his views in relation to whether there has been a breach of the code.
  - Member may challenge any evidence put forward by Investigator (if not already given prior notice of these the member must explain why)
  - Member can make representations - at any time panel may ask questions or call Investigator to challenge evidence
  - Member should be invited to give any reasons why feels not breached the code.
  - Consider any verbal or written representations from the Investigator
  - The panel may wish to invite the IP to give views on whether there has been a breach and, if so, what sanctions may be appropriate for recommendation
- e. Ask everyone to leave room for deliberation
  - Based on the facts has the member failed to follow the code of conduct?
  - Invite back in if need to clarify anything
  - Consider and agree recommendations to Standards Committee
- f. Once decision has been made invite everyone back in – Chair announce decision



By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Appendix A

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Appendix B

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Appendix C

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A  
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# Appendix D

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A  
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