



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: MONDAY, 8 FEBRUARY 2010 at 5:30 pm

P R E S E N T:

Sheila Brucciani (Independent Member) - Chair

Ms Kate McLeod
Ms Mary Ray

Independent Member
Independent Member

Councillor Corral
Councillor Keeling
Councillor Shelton

Councillor Draycott
Councillor Scuplak
Councillor Thomas

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120. APOLOGIES FOR ABSENCE

There were no apologies for absence.

121. DECLARATIONS OF INTEREST

Members were asked to declare any interests that they may have in the business on the agenda and/or declare if Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

For the avoidance of doubt, with regard to the item, "Complaint Against a Councillor: to Consider the Investigator's Findings," it was noted that the majority of Members had attended the meetings of the Standards Sub-Committee Initial Assessment or Review. As this meeting was a new stage in the process, this would not prevent any Members from considering the matter.

122. PRIVATE SESSION

Members of the Committee considered whether to discuss the item, "Complaint Against a Councillor: to Consider the Investigator's Findings" in private. Members noted the relevant paragraphs from Section 100A(4) of the Local Government Act 1972 and also considered whether it was in the public interest to consider the matter in public or private. They noted that this was the third stage in the complaint, and that the previous stages had been considered in private. They also noted that items should be considered in public, unless there

were clear reasons to keep it private.

Members expressed disappointment that private information from the report was leaked to the local media and felt that this should not have a disproportionate impact on the Committee's processes. Members felt that as the investigator had concluded that there was no finding of fault on the part of the Councillor, it would be in the public interest to consider the matter in private.

RESOLVED:

that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve 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 7(c)

The deliberations of a Standards Committee or other 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) or 71(2) of that Act.

Paragraph 1

Information relating to any individual

Paragraph 2

Information which is likely to reveal the identity of an individual

123. COMPLAINT AGAINST A COUNCILLOR: TO CONSIDER THE INVESTIGATOR'S FINDINGS

Mary Ray was unable to take part fully in the discussion and withdrew before the meeting had concluded.

The Monitoring Officer submitted a report that enabled the Committee to consider the findings of an independent investigator regarding a complaint that had been made against a Councillor.

In considering the contents of the investigation Members received detailed advice on process from the Monitoring Officer. The length of time taken for the investigation to conclude was noted and the reasons for this; for example the investigator's need to consult and take into account comments in the light of new decisions of the adjudication panel. Even so, Members agreed that action

needed to be taken to reduce the time scale if at all possible. They felt overall that the investigation was generally objective and persuasive. It was noted that things had moved forwards since the complaint was lodged and the process itself may have contributed to a change in attitudes.

Members also felt that clearer training for Chairs and improved communication would be beneficial in preventing similar issues arising in future. The differences between the local and national Codes of Conduct were also discussed, as were the implications of failing to adhere to the local Code for Council meetings. It was noted that the local Code had been recently redrafted, overseen by the Committee, and it was now more closely aligned to the national Code.

Members noted that, following the decision of this meeting, a public notice was required; however, if it was agreed that there had been no breach of the Code of Conduct, the subject Member had the right to refuse to allow this to be published.

RESOLVED:

- 1) that the Standards Committee agrees with the investigator's findings, that no breach of the Code of Conduct had been identified, and, therefore, that the matter is now concluded;
- 2) that the Standards Committee instructs the Monitoring Officer to publish a notice in the local newspaper of the Committee's findings and reason for decision, unless the Councillor concerned exercises their right to insist that the notice is not published anywhere;
- 3) that the failure to adhere to the Member Conduct at Meetings guidance be referred to the relevant group whip for appropriate action.

124. CLOSE OF MEETING

The meeting closed at 6:29pm.