

Time Commenced – 10.00am

Time Finished – 12.30pm

STANDARDS COMMITTEE

9 APRIL 2010

Present: Reverend Canon R B Blowers (Chair)
Mrs C McDowall, Ms D Reid and Mr P Sunderland
Councillors Hird, Holmes and Jackson

Officers in Attendance: Stuart Leslie – Chief Legal Officer – Deputy
Monitoring Officer
Steve Dunning – Assistant Director – Democratic
Services
Daniel Cooper – Constitutional Services Officer

37/09 Apologies for Absence

No apologies for absence were received.

38/09 Late Items Introduced by the Chair

There were no late items.

39/09 Declarations of Interest

Councillor Hird declared a personal and prejudicial interest in Minute no. 47/09 because she was a witness to the investigation.

Councillor Jackson declared a personal and prejudicial interest in Minute no. 47/09 because she was the subject of the complaint.

40/09 Minutes

The minutes of the meeting held on 11 January 2010 were confirmed as a correct record and signed by the Chair.

An Independent Member of the Standards Committee, Philip Sunderland, asked for an update on Minute No. 34/09. He stated that the Independent Members of the Standards Committee still need to meet with the Conservative Shadow Cabinet so that he can complete his report on the ethical framework.

Resolved to formally invite the Conservative Shadow Cabinet to meet with the Independent Members of the Standards Committee at a suitable time on Monday 19 April 2010.

41/09 2010 Annual Assembly of Standards Committees

The Committee received an oral report of the Corporate Director of Corporate and Adult Services regarding the arrangements for the 2010 Annual Assembly of Standards Committees.

Resolved to request that the new Independent Member of the Standards Committee and a Councillor on the Committee attend the 2010 Annual Assembly of Standards Committee.

42/09 Standards for England Paper

Members received a review of the local standards framework from Standards for England. The Assistant Director – Democratic Services presented the discussion paper to the Committee and stated that the review would most likely prompt a Consultation Paper by the Department for Communities and Local Government.

Resolved:

A. To note the report; and

B. Recommend that the Standards Committee appoint a Vice Chair in future.

43/09 Arrangements to Recruit an Independent Member

Members considered an oral report relating to the arrangements for the recruitment of a new Independent Member of the Standards Committee. A new Member is required to be recruited to replace the Chair Reverend Canon Barrie Blowers whose term of office was to end on 26 May 2010. The Assistant Director – Democratic Services stated that it would be ideal to hold interviews for the post between the local election and the Annual Council meeting. This is because the appointment will need to be ratified by Council.

Resolved:

A. To hold interviews for a replacement Independent Member of the Standards Committee on 14 May 2010; and

B. To hold the first meeting of the 2010/11 Municipal Year for the Standards Committee at 10.30am on 28 May 2010.

44/09 Exclusion of the Press and Public

(1) Resolved to exclude the press and public during consideration of Minutes 45/09 and 46/09 under Regulation 8(6) of the Standards Committee (England) Regulations 2008 and under Section 100(A) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 7(C) of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(2) Resolved to hear the matter relating to Minute 47/09 in public having considered the views of the members subject of the complaint.

45/09 Summary of Progress with Member Complaints

The Committee considered a report setting out details of the progress and outcome of the Member complaints received so far in the 2009-2010 municipal year.

Resolved to note the report.

46/09 Investigation Report (Reference 13/2009)

The Committee considered an investigation report into the behaviour of a Derby City Councillor.

Resolved to accept the finding of the investigating officer that there had been no breach of the Members Code of Conduct..

47/09 Investigation Report (Reference 10/2009)

Having declared interests, Councillor Hird and Jackson left the meeting for the remaining item.

The Committee considered a report of the Council appointed Investigating Officer into allegations concerning the conduct of Councillors Banwait, Hussain, Jackson, Roberts and Williamson.

The report was prepared by Claire Lefort of Weightmans LLP, solicitors, acting as Investigating Officer into allegations made by Councillor Jones, Leader of Derby City Council following an incident on 8 July 2009. At the incident the Labour Group Spokespeople tried to present a petition to a private meeting of the Liberal Democrat Cabinet with representatives of the media present. The Leader believed that in doing so these councillors had failed to comply with the Members' Code of Conduct by:

- Failing to treat others with respect;
- Bullying;
- Conducting themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute; and
- Failing to ensure that when using or authorising the use by others of the resources of the authority, such resources were not used improperly for political purposes.

The Investigating Officer found that there has not been a failure to comply with the Members' Code of Conduct. The Standards Committee were asked to determine whether to accept the Investigating Officer's finding that there has not been a failure to comply with the Members' Code of Conduct.

Resolved:

- A. To accept the findings of the investigating officer that there had been no breach of the Members' Code of Conduct;**
- B. To recommend that officers review the access arrangements to the public areas of the Council House; and**
- C. To recommend that officers produce a protocol, as part of the new statutory petition scheme, to govern how petitions should be presented.**

Chair of the next ensuing meeting
at which these minutes were signed