

## **Minutes of Members' Code of Conduct Committee Panel**

**16 December 2016**

### **Present:**

Mr Murray Litvak  
Councillor V.J. Leighton  
Councillor B.B. Spoor  
Councillor H.A. Thomson

### **274/16 Disclosures of Interest**

There were none.

### **275/16 Exclusion of Press and Public**

The Panel considered whether the press and public should be excluded from the meeting during consideration of the following matter on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act.

The Panel in making its decision had regard to all circumstances and was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**RESOLVED** that in the interest of having a frank and open discussion about the matter, the press and public are excluded from the meeting.

### **276/16 Exempt Complaint Assessment Report against Councillors B, C and D**

The Panel considered the report of the Monitoring Officer which set out an allegation, by way of a letter of complaint received from a member of the public, about the conduct of Councillors B, C and D.

The Panel also took into consideration the view of the Independent Person which was provided at the meeting. The Panel noted the Independent Person's view that the case did not appear to involve a breach of the Members' Code of Conduct and therefore should not be investigated further; but that other formal modes of recourse remained open to the complainant should they wish to pursue their complaint further.

The Panel determined, having regard to the Assessment Criteria, that the evidence presented in the complaint did not disclose a possible breach of paragraphs 7 and 9 of the Members' Code of Conduct.

The Panel did conclude however that there were aspects of the case that could have been handled more effectively, in particular some adjustments Councillor B might have made to correspondence with the complainant.

The Panel agreed that the Monitoring Officer should respond to the complainant, enclosing a copy of the Independent Person's report, and that no further investigation was justified.

**RESOLVED** that:

1. No further investigation is necessary in response to the complaint and
2. the Monitoring Officer be asked to write to the complainant to confirm the Panel's decision and to draw the case to a close.