

Minutes of Members' Code of Conduct Committee Panel

11 March 2020

Present:

Mr Murray Litvak
Councillor A.C. Harman
Councillor V.J. Leighton
Councillor R.W. Sider BEM

82/20 Disclosures of Interest

There were none.

83/20 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.

84/20 Exempt Complaint Assessment Report against Councillor C

The Panel considered the report of the Monitoring Officer setting out an allegation by way of a complaint received from several councillors about the conduct of Councillor C.

The Monitoring Officer detailed the circumstances which had led to this complaint and the steps taken by Councillor C to apologise to the complainants for his conduct, by way of background.

The Panel went on to consider the complaint and the matters set out in the report, having regard to the Assessment Criteria.

The Panel then went on to consider the options open to it:

- (a) the Panel is able to ask the Monitoring Officer to direct that the complaint is investigated;

- (b) to direct the Monitoring Officer to take other appropriate action short of a formal investigation, for instance trying to secure an apology;
- (c) alternatively the Panel can decide to take no action in respect of the complaint; this may be where the complaint appears to be trivial, vexatious, malicious, politically motivated or tit-for-tat.

The Panel also had regard to advice from the Independent Person, that bearing in mind Councillor C did not dispute the facts, had accepted that he was in the wrong and had offered an apology, it was hard to see what would be achieved by investigating the matter formally. The Independent Person did not believe it was in the public interest to take this matter further.

In considering option (a), to direct that the complaint is investigated, the Panel decided it was not in the public interest, for the reasons detailed in the report, and taking into account the view of the Independent Person, to undertake a full investigation.

The Panel considered option (b), to direct the Monitoring Officer to take other appropriate action. The Panel noted that Councillor C had offered to apologise to the complainants but not all of them would engage with him, preferring to pursue a formal process. The Panel found there was no other action which was appropriate in the circumstances.

The Panel agreed to take no action. It considered that this was a politically motivated matter and was persuaded by the detailed reasons in the Report for not pursuing it.

Resolved that no further action is necessary.