

# EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of the Standards Committee held in the Coltman VC Room at the Town Hall, Burton upon Trent on Monday 5<sup>th</sup> September 2016.

## **Present:**

Councillors M J Bowering (Chairman), R J Clarke, M T Fitzpatrick and Mrs J Jones.

## **Independent Member:**

Mrs A Johnson.

## **Parish Council Member:**

Councillors P Cooper and C Keen.

## **Officers Present:**

The Monitoring Officer and the Senior Democratic Services Officer.

## **Also Present:**

Mrs R Melbourne (Reserve Independent Person).

Councillor R Faulkner and Mr S Goacher (Investigating Officer) – (for Minute no. 29/16 to 32/16)

Apologies for absence were received from Councillor D C Leese, Mr G Goodall (Independent Person) and Mrs J Parkin (Independent Member).

### 29/16 **DECLARATION OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

### 30/16 **MINUTES**

#### **Resolved:**

That the Minutes of the Meeting held on 27<sup>th</sup> June 2016 be approved and signed as a correct record by the Chairman.

### 31/16 **URGENT BUSINESS**

There was no urgent business pursuant to Rule 12.

### 32/16 **HEARING OF COMPLAINT REGARDING A MEMBER'S CONDUCT**

(MO) Members considered the report of the Monitoring Officer on the hearing of complaint regarding Member conduct. The following appendix had been circulated with the report:

- Appendix 13.1 Investigator's Report and appendices SG1 to SG15

The Chairman introduced the Members of the Committee and explained the purpose of the meeting. The Monitoring Officer outlined the procedure to be adopted.

Councillor R Faulkner attended the meeting.

The Deputy Monitoring Officer advised that preliminary issues had been raised by Councillor R Faulkner in a response circulated to the Committee prior to the meeting. Councillor Faulkner addressed the Committee and the Monitoring Officer

The Investigating Officer described the complaint

Councillor Faulkner stated his case.

The Reserved Independent Person expressed her views.

The Investigating Officer summed up the case and Councillor Faulkner summed up his case.

**Resolved:**

That Councillor Faulkner had not breached paragraphs 9 and 10 of the Council's Code of Conduct, so no action to be taken.

33/16 **MONITORING OFFICER'S UPDATE REPORT**

(MO) Councillors received an oral update on local and national issues relating to ethical standards and any complaints or other problems within East Staffordshire from the Monitoring Officer.

The Monitoring Officer informed Members that she was currently dealing with 2 complaints against Borough Councillors and 1 complaint against parish councillors, and decision notices have been served to those relevant.

An opportunity for questions followed.

NOTED

34/16 **CONSIDERATION OF A NOTE ON THE ROLE OF THE INDEPENDENT PERSON**

(MO) Councillors received an update relating to the provisions of the Localism Act 2011 where the Council had appointed both an Independent Person and a Reserved Independent Person, in order to assist the Council in promoting and maintaining high standards of conduct amongst its Councillors and Town/Parish councillors.

An Independent Person must make themselves available for consultation by people who may wish to complain that there has been a breach of the Code of Conduct, and to any person or Council that are the subject of a standards complaint. An Independent Member can also assist the Monitoring Officer in resolving issues without expense of an investigation.

The Deputy Independent Person gave a short presentation on the procedure.

An opportunity for questions followed.

NOTED

35/16 **EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:**

That, in accordance with Section 100(A) (4) of the Local Government Act, 1972, the Press and Public be excluded from the Meeting during discussion of the following items it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated in brackets before each item number on the Agenda:

**PRIVATE MINUTE**

36/16 That the Private Minute of the Meeting held on 27<sup>th</sup> June 2016 be approved and signed as a correct record by the Chairman