

STANDARDS AND ETHICS COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY, 21 APRIL 2022

Present: Councillors David Banks, in the Chair; Joan Hully, Jackie Bowman, Hugh Branney, Graham Calvin, Ged McGrath and Russell Studholme.

Officers: Nicola Hartley (Head of Corporate Governance and Legal (Monitoring Officer)), Stephanie Shaw (Electoral and Democratic Services Manager) and Clive Willoughby (Democratic Services Officer).

SEC 21/54 Apologies for Absence

There were no apologies for absence.

SEC 21/55 Declarations of Interest

All Councillors present declared a non-pecuniary interest due to knowing both the complainant and subject member.

SEC 21/56 Minutes of the Meeting held on 23 March 2022

Consideration was given to the minutes of the meeting held on 23 March 2022.

RESOLVED – That the minutes of the meetings held on 23 March 2022 be agreed as a correct record and signed by the Chair.

SEC 21/57 Constitution amendments

The Monitoring Officer presented a report detailing consequential amendments to Chapter 12 of the Council's Constitution and introducing a new Chapter 20 covering the Cumberland Joint Committee and their Terms of Reference.

Clarification was sought and provided regarding the amendments and new Chapter, including details of sections 27 and 28 of the Localism Act 2011

On a vote of 7 For, 0 Against and 0 Abstentions, it was therefore:-

RESOLVED – That the Constitution amendments be agreed.

The meeting was adjourned at 2:18pm, to await the arrival of both parties for Agenda Item 6.

The meeting re-convened at 2:45pm

SEC 21/58 Exclusion of Press and Public

The Chair proposed and it was

RESOLVED – that the press and public be excluded for the remaining items of business in view of the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of schedule 12A of the Local Government Act 1972.

SEC 21/59 Code of Conduct Complaint

Consideration was given to an allegation that the subject Member had breached the Council's Code of Conduct.

The Council's Monitoring Officer commenced the hearing by setting out the details of the complaint to the Committee.

The Complainant then had fifteen minutes to present the case to the Committee.

The Subject Member was then also permitted a maximum of fifteen minutes to present their case to the Committee.

Committee members were provided with the opportunity to ask questions of both parties.

At this point the Complainant and Subject Member left the meeting and the committee deliberated to consider their decision.

At the conclusion of the deliberations it was

RESOLVED – that the Committee unanimously agreed that the Subject Member's actions amounted to a breach of the Code of Conduct and the complaint be upheld with sanctions 3, 5 and 6 (as stated in Appendix 1, paragraph 12(i) of the Procedure for Investigating Councillor Code of Conduct Complaints being applied:

3. The Subject Member be censured - an expression of strong disapproval or criticism – and that censure will be in writing, with a copy being sent to the relevant group leader.
5. A recommendation be made to the relevant group leader that the subject member should be removed from relevant committees or outside bodies.
6. The appropriate training should be arranged for the subject member by the Council's solicitor.

The Meeting closed at 3.25 pm

Chair