

STANDARDS (LOCAL DETERMINATION) SUB-COMMITTEE – Meeting held on Wednesday, 20th July, 2005.

Present:-

Co-opted Independent Members:-

Messrs Fred Ashmore, Mike Field and Zahir Khan.

Elected members:-

Councillors Neil Arnold and Sumander Khan.

Also Present:- Councillor Paul Janik (Representing Councillor Balwinder Dhillon) (For part of the Meeting only)

PART I

1. Election of Chair

Resolved - That Mr Mike Field be appointed Chair of the Sub-Committee for this Meeting.

(Mr Mike Field in the Chair).

2. Declarations of Interest

Councillor Neil Arnold stated that he wished it to be known that at the Planning Committee meeting held on 22nd March, 2005 it had been reported that a letter had been received from Mr Maurice Stanmore, a witness for Councillor Dhillon, alleging that he had been lobbying in respect of his planning application for 67/69 London Road. At that same meeting Councillor Arnold had advised the Planning Committee that Councillor Dhillon had been lobbying him in respect of this same application. He was of the view that these matters had no bearing on the issue now before the Sub-Committee and that he would be considering the matters put before him with an open mind and therefore would stay and take part in the hearing.

Councillor Khan stated that, like Councillor Dhillon, he was a Member of the Conservative Party and was advised that he did not have a personal and prejudicial interest in this matter and was not debarred from participating in the hearing.

3. Alleged Breach of Local Code of Conduct – Councillor Balwinder S Dhillon

The Sub-Committee met to determine an allegation made by Mr Muhammad Khan that Councillor Balwinder Dhillon had failed to comply with the Council's Local Code of Conduct in that following an informal Planning Meeting held on

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14th March, 2005 Councillor Dhillon both verbally and physically threatened him.

The allegation had been referred by an Ethical Standards Officer of the Standards Board for England to the Monitoring Officer for investigation and, in accordance with the procedure previously agreed by the Standards Committee, he, in turn, had delegated the matter to the Contract Solicitor i.e. the Investigating Officer.

The Investigating Officer's final written report outlining the results of his investigation, conclusions and recommendations as to the sanctions which should be applied should the complaint be upheld were submitted together with Councillor Dhillon's written response thereto.

The Sub-Committee was advised that Councillor Dhillon had initially indicated that due to his involvement in the preparation for events leading up to and including his Daughter's marriage on the 24th July he would be unable to attend the hearing but that he had no objection to the matter being determined in his absence and/or by correspondence. He had subsequently requested in a letter dated 23rd June 2005 that the date of the hearing be put back until after the 26th July but accepted that this might not be practicable in view of the need to report back to the Standards Board for England on this matter by that date. A further letter had been received from Councillor Dhillon on the 20th July, 2005 again confirming that he was unable to attend the hearing, the reasons why and advising that he had appointed Councillor Paul Janik to represent him at the hearing.

A written submission together with attachments prepared by Councillor Janik on behalf of Councillor Dhillon which had been received just prior to the start of the Meeting was circulated.

The Monitoring Officer drew attention to the procedure which should be followed in the absence of the Member who was the subject of the allegation and the Sub-Committee retired to consider whether or not the Meeting should be adjourned to allow Councillor Dhillon to attend.

On reconvening the hearing the Sub-Committee

Resolved –

- (a) That, having regard to the conflicting evidence submitted and in the interests of fairness and given that Councillor Dhillon's reputation could be at stake, the hearing be adjourned until 23rd August, 2005 at 6.30 p.m.
- (b) That all persons and witnesses involved in this complaint be invited to attend the adjourned meeting to allow the Sub-Committee the opportunity to hear their account of events firsthand.

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(NB With the agreement of all Members of the Sub-Committee, the date of the adjourned Meeting was subsequently changed to Monday, 15th August, 2005 at 6.30 p.m.).

Chair.

(Note: The Meeting opened at 6.35 p.m. and closed at 7.00 p.m.).