

Standards (Local Determination) Sub-Committee – Meeting held on Tuesday, 8th April, 2008.

Present:-

Co-opted Independent Members:-

The Reverend Paul Lipscomb (Chair), Mr Fred Ashmore and Mr Mike Field.

Elected Members:-

Councillors Aziz and Latif Khan.

Also present:-

Councillors Balwinder Dhillon and Hewitt, Mr Dale-Gough (representing Councillor Dhillon), Steven Quayle, (Monitoring Officer), Elaine Crawford (Investigating Officer), and June Cook (Administrator).

PART I

1. Declarations of Interest

With regard to the alleged breach of the Local Code of Conduct by Councillor Hewitt, Councillor Latif Khan advised that he had been a member of the School Organisation Committee when the matter of the Muslim school had been considered and that he was currently on the Board of Governors of that school. He intended to stay and take part in the discussion but was not proposing to vote.

2. Minutes of the last Meeting of the Sub-Committee held on 10th April 2007

The Minutes of the Meeting of the Sub-Committee held on 10th April, 2007 were approved as a correct record and signed by the Chair.

3. Alleged Breach of Local Code of Conduct - Councillor Balwinder Dhillon

The Sub-Committee met to determine an allegation that Councillor Balwinder Dhillon had failed to comply with the Council's Local Code of Conduct. The allegation had been referred to the Council for investigation by the Standards Board for England on 27th November 2007. Subsequently, on 11th January 2008 the complainant indicated that she had agreed with Councillor Dhillon that provided he wrote a letter of apology she would withdraw her complaint to the Board. The complainant subsequently sent a letter dated 11th January 2008 formally withdrawing her complaint.

The Standards Board for England had been consulted on this matter and they had indicated that there was no provision in the current relevant legislation covering the withdrawal of a complaint once the investigative process had started. The Board advised that a report stating findings of fact had still to be

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prepared and a hearing had to take place albeit to recommend to the Sub-Committee that the matter required no further action.

In accordance with the Board's advice, the Investigating Officer had completed her investigation and a copy of her final report was submitted. The Investigating Officer indicated that her findings were inconclusive due to the withdrawal of the allegation and subsequent inability to interview witnesses to the alleged event and accordingly, recommended no further action in respect of this matter.

The Sub-Committee deliberated the matter in private and on reconvening the hearing the Chair advised that as the investigation could not be completed due to the withdrawal of the complaint the Sub-Committee concurred with the Investigating Officer's recommendation.

In accordance with paragraph 2(b) of Regulation 8 of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, Councillor Dhillon indicated that he did not wish a public notice setting out the Sub-Committee's finding to be published.

Resolved - That in respect of the complaint now submitted regarding Councillor Dhillon no breach of the Local Code of Conduct has been found.

4. Alleged Breach of Local Code of Conduct - Councillor Brian Hewitt

The Sub-Committee met to determine an allegation that Councillor Brian Hewitt had failed to comply with the Council's Code of Conduct. The allegation had been referred by the Standards Board for England to the Council for investigation on 23rd August 2006 and, in accordance with the arrangement agreed by the Standards Committee, the Monitoring Officer had delegated the conduct of the investigation to LGA a private firm which specialised in these matters.

A letter from LGA setting out the current status of their investigation and the chronology of events since May 2007 when the complaint was referred to them was submitted for information. LGA reported that when they had contacted the complainant to arrange an interview they were advised that she did not wish to pursue her complaint. No other evidence in connection with the complaint was submitted.

The Chair indicated that the Sub-Committee was of the view that as the complaint had been withdrawn and there was no evidence to consider no further action should be taken on this matter.

In accordance with paragraph 2(b) of Regulation 8 of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 Councillor Hewitt indicated that he did not wish a public notice setting out the finding of the Sub-Committee to be published.

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Resolved - That in respect of the complaint now submitted regarding Councillor Hewitt no breach of the Council's Code of Conduct has been found.

Chair

(The Meeting opened at 6.30 p.m. and closed at 6.50 p.m.)