

Standards (Local Determination) Sub-Committee – Meeting held on Tuesday, 10th April, 2007.

Present:- Councillors Mr Fred Ashmore, Dhillon, Mr Mike Field,
The Reverend Paul Lipscomb and Rasib

Also present under Rule 30:- Councillors

Apologies for Absence:- Councillor

PART 1

1. Election of Chair

Resolved – That the Reverend Paul Lipscomb be appointed Chair of the Sub-Committee for this meeting.

(The Reverend Paul Lipscomb in the Chair)

2. Declarations of Interest

None.

3. Minutes

The Minutes of the Meeting of the Sub-Committee held on 20th November, 2006 were approved as a correct record and signed by the Chair.

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

The Sub-Committee met to determine an allegation made by Councillor May Dodds that Councillor Balwinder Dhillon had failed to comply with Council's Local Code of Conduct. The alleged breaches of the Local Conduct were that at the Council Meeting on 7th February 2006 Councillor Dhillon:-

- (a) had failed to “treat others with respect and consideration regardless of their gender, race, sexual orientation, age or religion” contrary to paragraph 2.1(b) of the Code by telling Councillor Dodds to “shut your mouth”;
- (b) had “conducted himself in a manner which could reasonably be regarded as bringing his office or the Authority into disrepute” contrary to paragraph 4.1 (a) of the Code by failing to read out the pre-agreed apology as directed by the Standards (Local Determination) Sub-Committee in respect of a previous complaint without preamble or additional comment .

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- (c) had made “vexations or malicious complaints against any persons” contrary to paragraph 4.1(b) by calling Councillor Grewal ‘foolish’ and ‘childish’.

The complaint had been referred by the Standards Board for England to the Monitoring Officer for investigation and, in accordance with the procedure previously agreed by the Standards Committee, he had delegated the investigation to the Deputy Monitoring Officer i.e. the Investigating Officer.

The Investigating Officer’s final written report outlining the result of her investigation and her conclusions were submitted together with Councillor Dhillon’s written response thereto.

The Investigating Officer presented her report following which Councillor Dhillon declined the opportunity to ask questions thereon. Mr Dosanjh, representing Councillor Dhillon, then read out a short statement on his behalf welcoming the Investigating Officer’s finding that in respect of allegations (a) and (c) above there had been no breach of the Code and admitting the action set out in paragraph (b) above in respect of which he expressed his regret and apologies to the Sub-Committee.

The Sub-Committee, having heard all the evidence and being satisfied that it had sufficient information then deliberated in private.

On reconvening the hearing the Chair advised that the Sub-Committee had come to the following conclusions:-

- That there was insufficient evidence to show that Councillor Dhillon had made vexatious or malicious remarks against anyone at the Council meeting on 7th February, 2006 and any remarks he did make should be viewed in the context of the poor behaviour of a number of Members at that meeting. In the light of this the Sub-Committee concurred with the Investigating Officer’s findings that Councillor Dhillon had not breached paragraphs 2.1(b) or 4.1(b) of the Code.
- As regards the charge that Councillor Dhillon had breached paragraph 4.1(a) of the Code, based on his own admission and evidence produced by the Investigating Officer, the Sub-Committee found that he had failed to read out the pre-agreed apology as directed by the Standards (Local Determination) Sub-Committee without preamble or additional comment and that his failure to do so had contributed to the disruption at the Council meeting. Accordingly, the Sub-Committee found that Councillor Dhillon had breached the Local Code of Conduct in that he had conducted himself in a way which could reasonably be regarded as bringing his office and the Council into disrepute contrary to paragraph 4.1(a) of the Code.

Councillor Dhillon was asked whether he wished to make any representations before the Sub-Committee considered what sanction if

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any should be imposed and Mr Dosanjh briefly addressed the meeting on his behalf.

The Sub-Committee then deliberated in private and on reconvening the hearing

Resolved –

- (a) That Councillor Dhillon, having been found in breach of paragraph 4.1(a) of the Code of Conduct, be suspended from attending all Council, Committee, Sub-Committee and Panel meetings for the period 11th April to 25th April 2007 inclusive and payment of any allowances due to him for this period should cease.
- (b) That the Sub-Committee views with great concern the poor behaviour of the elected Members of the Council and the general lack of respect they show each other, as evidenced by the Investigating Officer's report, accompanying documentation and subsequent reoccurrences. Accordingly it calls upon the Group Leaders to take collective, strong, immediate and effective action to address this issue for the future and instructs the Monitoring Officer, in consultation with the Chair of this Committee, to prepare a report on this matter for submission to the Council setting out its concerns.
- (c) That the report to Council referred to in (b) above include the recommendation that should there be a reoccurrence of the kind of behaviour which occurred at the Council Meeting on 7th February, 2006, the Mayor should immediately suspend the meeting to allow a "cooling off" period.

(Councillor Dhillon was advised of his right of appeal in accordance with Part 3 of the Local Authorities (Local Code of Conduct) (Local Determination) Regulations 2003)

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.23 pm)