

STANDARDS COMMITTEE**20 November 2006**Attendance:

Mr J Spokes (Independent Member - Chairman) (P)

Councillors:

Bennetts (P)
Berry (P)
ChamberlainMerritt (P)
Quar (P)
Rees (P)Independent Members and Parish Representatives in attendance:-Professor R Johns (Independent Member)
Mr G Llewellyn (Independent Member)
Mr P Smith (Independent Member)
Mr R Scaiff (Parish Representative)
Mr M Westwell (Parish Representative)95. **APOLOGIES**

Apologies for absence were received from Councillor Chamberlain and Dr G Sharman (Parish Representative).

96. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 4 July 2006 be approved and adopted.

97. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

98. **COMPLAINT RELATING TO COUNCILLOR WRIGHT**

(Report ST55 refers)

The Chairman explained that Councillor Wright had requested that Members be made aware that his lack of attendance at the meeting was not due to any discourtesy on his part towards the Committee. It was because he was not permitted under the agreed procedures to participate in the meeting and had therefore decided that his presence would not aid consideration of the matter.

With regard to the cost of £7,000 for dealing with the complaint, it was noted that £5,000 related to the fee for the investigating solicitors (Bevan Brittan LLP) and £2,000 for City Council expenditure incurred in supporting the process.

The City Secretary and Solicitor had drawn attention to the requirement to publish in the local press a notice of the investigation outcome unless, in the case of no breach of the Code being found, the Member concerned did not wish such a notice to appear. However, Councillor Wright had indicated that he did wish a notice to be published in those circumstances.

In conclusion, Members noted that Councillor Wright had sought advice from the relevant Council officers on the Code of Conduct and they concluded that there was nothing in his conduct which required criticism. Therefore, the findings of the investigating solicitor's report, that there had been no failure by Councillor Wright to comply with the relevant provisions of the Code of Conduct, were accepted.

RESOLVED:

1. That the report of the investigating solicitors (Bevan Brittan LLP) into two allegations made against Councillor Malcolm Wright and their findings that there had been no failure by him to comply with the relevant provisions of the Code of Conduct be accepted, for the following reasons:-

(a) with regard to the first allegation relating to the Planning Development Control Committee held on 29 July 2004, it had been established that Councillor Wright was not present at that meeting and so there was no case to answer (in addition, it was noted that the complainant had withdrawn that allegation by fax dated 17 July 2006).

(b) with regard to the second allegation relating to the Planning Development Control Committee held on 16 February 2006:-

(i) Councillor Wright's personal interest in the application in relation to the location of his house was not prejudicial, because the existing noise levels were below the level which would give rise to annoyance; the likely reduction from construction of bunds was not so significant as to benefit Councillor Wright; and construction traffic would not affect Councillor Wright; Councillor Wright had correctly declared a personal (but not prejudicial) interest at that meeting.

(ii) Councillor Wright's membership of the Clay Pigeon Shooting Association was not a personal interest, as it would not affect his wellbeing and therefore no prejudicial interest could exist;

(iii) at the time of the February 2006 meeting, Councillor Wright had ceased to be a member or part-owner of the Rack and Manger Gun Club for eighteen months and had not had any further involvement with its management. The decision could not therefore be reasonably regarded as affecting him to a greater extent than other council tax payers or inhabitants in the area, and therefore there was no personal interest arising from his previous relationship with this organisation.

2. That a public notice be placed in the local press giving details of the above decision and the reasons for it.

3. That all Members be reminded of the importance of being fully aware of the Code of Conduct and Council protocols.

99. **FORUM OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEES**
(Report ST54 refers)

RESOLVED:

That Prof. Johns be thanked for the above report, which was noted.

The meeting commenced at 6.15pm and concluded at 7.05pm

Chairman