

BRIGHTON & HOVE CITY COUNCIL

STANDARDS COMMITTEE HEARING PANEL

9.30AM – 12 DECEMBER 2006

MEMBERS ROOMS HOVE TOWN HALL

MINUTES

Present: Dr M B Wilkinson (Independent Member) (Chair), Councillors Lepper (Deputy Chair) and Simson.

PART ONE

ACTION

1. PROCEDURAL BUSINESS

1.A Declarations of Substitutes

1.1 Substitute Councillor For Councillor

There were none.

1.B Declarations of Interest

1.2 Councillor Simson declared a personal but not prejudicial interest by virtue of the fact that two of the Conservative Councillors referred to were known to her as Members of her group and that in her capacity as a Ward Councillor she had received some background correspondence relating to the allegations made, which duplicated that received in her capacity as a Member of the Standards Hearing Panel. However, she had not discussed the matter with either of the Councillors concerned nor with the Councillor about whom the complaint had been made she had not predetermined the matter and would be considering the allegations made in her capacity as a Member of the Panel. Councillor Lepper (Deputy Chair) declared a personal but not prejudicial interest in the matter stating that although the fellow Labour Councillor about whom the complaint had been made was known to her, she had not discussed the matter nor predetermined it and would be considering the allegations made in her capacity as a Member of the Panel.

1.C Exclusion of Press and Public

- 1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A (3) or 100 1 of the Local Government Act 1972.
- 1.4 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 1D and 3.

1.D Minutes of the Meeting of The Hearing Panel : 1 November 2006

- 1.5 **RESOLVED** - That the Chair be authorised to sign the minutes of the meeting of the Hearing Panel held on 1 November 2006 as a correct record of the proceedings.

2. PROCEDURE FOR CONSIDERATION OF INVESTIGATOR'S REPORTS

- 2.1 The Panel considered the report of the Director of Strategy and Governance which advised the Hearing Panel of the procedure to be adopted in relation to investigation reports where the Investigating Officer has found that there has been no breach of the Council's Code of Conduct for Members (for copy of the Code see minute book).
- 2.2 The Head of Law informed the Panel that they must either accept the Investigating Officer's findings that the Member has not failed to comply with the Code of Conduct for Members as set out in the allegations, or that the matter should be considered at a hearing of the Hearing Panel, conducted in accordance with the authorities adopted Procedure for Local Determination Hearings.
- 2.3 The Head of Law suggested that the Investigating Officer leave the room during the discussion and deliberation in respect of Item 3.
- 2.4 **RESOLVED** – (1) That the content of the report be noted and adopted.
- (2) That the Investigating Officer leaves the room during the discussion and deliberation in relation to Item 3;
- (3) That the Panel proceeds to consider whether it accepts the findings of the Investigating Officer that there had been no failure to comply with the Code.

The meeting concluded at 10.25am

Signed Chair

Dated this day of 2007

Local Government (Access to Information) Act 1985

Part 2 Proceedings

3. TO CONSIDER AND MAKE FINDING ON THE INVESTIGATING OFFICER'S REPORT IN RELATION TO CASE REFERENCE SBE15050.06 - EXEMPT CATEGORIES 1 and 7C

3.1 **RESOLVED** - That there has been no failure to comply with the Council's Code of Conduct for Members.