



GOVERNANCE SUB COMMITTEE 1

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

12 AUGUST 2015

PRESENT

Councillors P M Chandler (Chairman)
T S Bains,
T Beaken (Substitute for Councillor J Simpson)

Observer - Councillor T Greenow

Monitoring Officer
Solicitor to the Council & Deputy Monitoring Officer
Senior Democracy Officer
Admin Assistant

The Chairman opened the meeting by welcoming everyone and introduced the attending Councillors and Officers. The Chairman confirmed that Councillor Greenow would be observing the meeting.

The Chairman confirmed that the Monitoring Officer would be advising on procedural matters together with the Solicitor to the Council who was also the Deputy Monitoring Officer.

The Chairman stated that the purpose of this Sub Committee was to consider the information presented in accordance with the Localism Act 2011 and the Council's processes and make a decision regarding the action to be taken on each matter. The three options available to the Sub Committee were :-

- No action to be taken
- The complaint be referred for other action such as training, support, mediation
- The complaint be referred for investigation

The Sub Committee was reminded that it was not there to decide if the Code of Conduct had been breached and that normal Sub Committee rules were applicable.

Members of the Public were advised that should the Sub Committee resolve to consider any matter in private session in accordance with Part 1 of Schedule 12A of the Local Government Act 1972 (Access to Information: Exempt Information), the public would be asked to leave the meeting whilst the matter was discussed and would be invited to return to hear the decision.

GS1.1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Faulkner, E Holmes and J Simpson.

GS1.2 MINUTES

It was noted that Councillor Chandler was the only Councillor present who had been at the Sub Committee meeting held on the 5 March 2015 which she had attended as an Observer. Councillor Chandler confirmed the minutes were a true record.

The minutes of the Governance Sub Committee 1 held on the 5 March 2015 were noted.

GS1.3 DECLARATIONS OF INTEREST

There were no declarations of interest.

It was noted that Councillor Chandler had attended the Planning Committee meetings referred to in the complaints. However she stated that she had an open mind on the matters under consideration and was therefore able to attend and chair the meeting.

GS1.4 CONSIDERATION OF MEMBER COMPLAINT GOV 37

The Monitoring Officer submitted and presented a report (copies of which had previously been circulated to Members and it was confirmed that Members had had the opportunity to read the papers fully) which enabled the Committee to consider the complaint received regarding the conduct of a Council Member and to consider what action should be taken from the following :-

- No Action
- Other Action such as training, support, mediation
- Refer for Investigation

Due to Appendix Ai being circulated as an exempt paper, it was proposed, seconded and unanimously agreed that the public be excluded during the consideration of this complaint.

EXCLUSION OF THE PUBLIC

RESOLVED that the Public be excluded during the consideration of the following item of business in accordance with Part 1 of Schedule 12A of the Local Government Act 1972 (Access to Information : Exempt Information) under paragraphs 1 and 2.

Members felt that the Subject Member had been asking for clarity on the petition rather than bringing it into the discussion.

It was noted that the Subject Member had attempted to resolve the issue with correspondence in which the reasons for their actions were clear.

In line with the views of the Independent Person it was felt that the questioning undertaken by the Subject Member was reasonable under the circumstances.

It was proposed by Councillor Bains and seconded by Councillor Beaken and on being put to the vote, unanimously carried that 'No Action' be taken.

Following consideration of the complaint, the meeting resumed open session to announce the Sub Committee's decision.

RESOLVED that 'No Action' be taken.

(The Monitoring Officer here left the meeting.)

GS1.5 CONSIDERATION OF MEMBER COMPLAINT GOV 32

The Solicitor to the Council in her role as Deputy Monitoring Officer, due to a potential conflict of interest for the Monitoring Officer, submitted and presented a report (copies of which had previously been circulated to Members and it was confirmed that Members had had the opportunity to read the papers fully). The report enabled the Committee to consider a complaint received regarding the conduct of a Council Member and to consider what action should be taken from the following :-

- No Action
- Other Action such as training, support, mediation
- Refer for Investigation

Due to there being two appendices that were circulated as exempt papers, it was proposed, seconded and unanimously agreed that the public be excluded during the consideration of this complaint.

EXCLUSION OF THE PUBLIC

RESOLVED that the Public be excluded during the consideration of the following item of business in accordance with Part 1 of Schedule 12A of the Local Government Act 1972 (Access to Information : Exempt Information) under paragraphs 1 and 2.

Following consideration of the complaint, the meeting resumed open session to announce the Sub Committee's decision.

RESOLVED that 'Other Action' be taken as follows :-

The Deputy Monitoring Officer to contact the Subject Member and remind the Councillor of the 'Protocol for the requesting and Conduct of Site Inspections' set out at Appendix 3 of the 'Code of Conduct for Members and Officers dealing with Planning Matters'.

It was discussed and suggested that the Deputy Monitoring Officer liaise with the Monitoring Officer and the Chair of this Committee regarding circulation of the planning site visit protocol which would act as a reminder for Councillors when dealing with such matters.

The Meeting which commenced at 4.00 pm closed at 4.25 pm

Chairman