

HINCKLEY AND BOSWORTH BOROUGH COUNCIL  
ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

30 OCTOBER 2012 AT 10.30 AM

PRESENT: Mr DW Inman - Chairman

Mrs R Camamile, Mrs WA Hall, Mr KWP Lynch, Mr JS Moore, Mrs J Richards (for Mr LJP O'Shea) and Ms BM Witherford

Officers in attendance: Louisa Horton

230 APOLOGIES

Apologies were submitted on behalf of Councillors Bill and O'Shea, with Councillor Richards substituting for Councillor O'Shea in accordance with Council Procedure Rule 4.1.

231 MINUTES OF PREVIOUS MEETING

On the motion of Councillor Inman, seconded by Councillor Hall, it was

RESOLVED – the minutes of the meeting of Standards Committee held on 5 April 2012 be confirmed and signed by the Chairman.

On the motion of Councillor Hall, seconded by Councillor Inman, it was

RESOLVED – the minutes of the meeting of Standards Committee held on 11 April 2012 be confirmed and signed by the Chairman.

On the motion of Councillor Camamile, seconded by Councillor Witherford, it was

RESOLVED – the minutes of the meeting of Personnel Committee held on 18 April 2012 be confirmed and signed by the Chairman.

232 DECLARATIONS OF INTEREST

No interests were declared at this stage.

233 LOCALISM ACT 2011 - STANDARDS REGIME

Members were presented with the process for dealing with complaints against Councillors who had allegedly breached the code of conduct. Discussion followed regarding the following:

- The need for the committee to meet in public in accordance with Access to Information Regulations;
- Anonymous complaints would only be accepted in extreme circumstances and if it was in the public interest;
- The difficulty in defining whether a Member was acting as a Councillor at the time of the alleged breach;
- After initial fact finding, a report with recommendation would be brought before the full Committee with the options of referring for investigation, referring to the Monitoring Officer for other action, referring to the Police, or no action;

- A hearing would be required following investigation if it was found that there had been a breach of the code;
- The Independent Person would only become involved if sanctions were to be imposed;
- Sanctions may include a recommendation to Council that someone be removed from a position as Chairman or a recommendation to the Group Leader or Whip.

Members felt that whilst the new regime did not have powers to impose serious sanctions, it was fairer for the subject Member as they would be informed of the complaint at an earlier stage and also would be able to attend the Committee to hear the debate on the matter.

On the motion of Councillor Witherford, seconded by Councillor Moore, it was

RESOLVED – the information be noted.

#### 234 COUNTY WIDE CODE OF CONDUCT

It was reported that Leicestershire County Council were leading on looking at the possibility of having a shared Code of Conduct across the County. A document comparing Codes of Conduct had been written, and whilst many were similar no suggested shared version had yet been produced. Members wished to continue to support the work but agreed to await the final version before deciding whether or not to adopt. On the motion of Councillor Lynch, seconded by Councillor Witherford, it was

RESOLVED – working as part of the County-wide group be continued and reviewed when the final copy of the shared Code is available.

#### 235 PARISH COUNCILS

The Monitoring Officer reported that only half of the Parish and Town Councils in Hinckley and Bosworth had published (either on their own website or via the HBBC site) their Code of Conduct and some did not appear to have met to consider the Code yet.

#### 236 DECLARING INTERESTS

The Monitoring Officer updated on progress in returning all Register of Interest forms by both Borough and Parish/Town Councillors. Members were informed that they could check the electronic version of their form on the website or view the paper version in the offices.

#### 237 TRAINING ON THE NEW REQUIREMENTS

The Monitoring Officer presented Members with a proposed training outline on declaring interests in response to Members' requests. Members were reminded that, on the Register of Interest form, it was necessary to include interests only of you or your spouse/partner, whereas at a meeting interests of a family member or close associate also had to be declared. Some Members felt that they would continue to declare interests other than financial in the name of openness and transparency.

It was moved by Councillor Lynch and seconded by Councillor Hall that the Monitoring Officer provide training prior to Planning or Council meetings or at group meetings. Councillor Camamile moved an amendment that it also be provided on paper for those unable to attend. The amendment was accepted by the mover and seconder and therefore

RESOLVED – the Monitoring Officer be requested to provide training to Members in the manner most suitable to them.

238 FUTURE MEETINGS

It was agreed that meetings be scheduled on an eight-weekly cycle but that be cancelled in the event of there being insufficient business. It was agreed that the next meeting be held in early January.

(The Meeting closed at 11.51 am)