



Date: 10 December 2013

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **Members of the Ethical Governance and
Personnel Committee**

Mr DW Inman (Chairman)
Mrs WA Hall
Mr KWP Lynch

Mr JS Moore
Ms BM Witherford

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** in the F3 - Hub on **WEDNESDAY, 18 DECEMBER 2013 at 10.30 am** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

Helen Rishworth
Communications & Democratic Accountability Officer

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS
2. MINUTES OF PREVIOUS MEETING (Pages 1 - 2)
To confirm the minutes of the previous meeting.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST
To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**
5. QUESTIONS
To hear any questions received in accordance with Council Procedure Rule 10.
6. MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED
To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 10 of Schedule 12A of the 1972 Act.
7. FACT FINDING REPORT 2013-11 (Pages 3 - 6)
8. FACT FINDING REPORT 2013-12 (Pages 7 - 12)
9. REPORT ENC INVESTIGATION REPORT 2013-05 (Pages 13 - 14)
10. COUNCILLOR BOOTHBY FINAL REPORT (Pages 15 - 24)
11. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

2 OCTOBER 2013 AT 10.30 AM

PRESENT: Mr DW Inman - Chairman

Mrs R Camamile, Mr KWP Lynch, Mr JS Moore, Mr LJP O'Shea, Mrs J Richards, Mr R Ward, Ms BM Witherford and Mr MB Cartwright

Officers in attendance: Louisa Horton, Julie Stay and Helen Rishworth

119 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor Hall, with the substitution of Councillor Cartwright. This substitution was authorised in accordance with Council Procedure Rule 4.1.

120 MINUTES OF PREVIOUS MEETING

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

RESOLVED – the minutes of the meeting held on 7 August 2013 be approved and signed by the Chairman.

121 DECLARATIONS OF INTEREST

In the interests of openness and transparency, Councillor O'Shea declared a Personal Interest which may lead to bias in agenda item 7 and agreed to leave the room. Councillor Richards declared that she was a witness to the same item.

122 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

See modern.gov

123 FACT FINDING REPORT 2013-02

The Monitoring Officer reported that as part of the fact-finding work she had written to the complainant and subject Member to look for an informal resolution which was rejected by the complainant.

Discussion took place regarding the election count and it was felt that the whole process was often subject to high emotions, but that there was no intention to personally disrespect the Complainant.

Councillor Richards left the meeting at 11:15am.

It was proposed by Councillor Cartwright, seconded by Councillor Witherford and

RESOLVED – no breach of the code of conduct had occurred and therefore no further action be taken and the decision notice could be made public.

124 FACT FINDING REPORT 2013-07

The Monitoring Officer reported that as part of the fact-finding work she had written to the complainant and subject members to look for an informal resolution which was rejected by the complainant. She recommended that no further action be taken as neither Member had breached the Code of Conduct.

It was proposed by Councillor O'Shea, seconded by Councillor Cartwright and

RESOLVED – no breach of the code of conduct had occurred and therefore no further action be taken and the decision notice could be made public.

125 FACT FINDING REPORT 2013-09

The Monitoring Officer reported that as part of the fact-finding work she had written to the complainant and subject Member to look for an informal resolution which was rejected by the complainant. Discussion took place regarding the terminology used by the subject Member in the media.

A Member then moved an AMENDMENT that the complaint be deferred until the outcome of the counter complaint had been resolved. Upon being put to the vote, the MOTION was LOST.

It was proposed by Councillor Cartwright, seconded by Councillor Moore and

RESOLVED – no breach of the code of conduct had occurred and therefore no further action be taken and the decision notice be made public.

126 FACT FINDING REPORT 2013-10

The Monitoring Officer reported that as part of the fact-finding work she had written to the complainant and subject Member to look for an informal resolution which was rejected by the complainant.

Due to the complex nature of this complaint, it was felt that further investigation was needed.

It was proposed by Councillor Lynch, seconded by Councillor Camamile and

RESOLVED – further investigation by the Monitoring Officer be undertaken.

(The Meeting closed at 11.58 am)

CHAIRMAN

By virtue of paragraph(s) 1, 2, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

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