

## Lancashire County Council

### Conduct Committee

Wednesday, 19th November, 2014 at 2.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

### Agenda

#### Part 1 (Open to Press and Public)

No.	Item
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1.	<b>Apologies</b>
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2.	<b>Disclosure of Pecuniary and Non-Pecuniary Interests</b>
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Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

3.	<b>Minutes of the Meeting held on 13 August 2013</b>	(Pages 1 - 4)
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4.	<b>Urgent Business</b>
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An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

5.	<b>Date of Next Meeting</b>
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The date and time of the next meeting of the Committee is to be confirmed.

6.	<b>Exclusion of Press and Public</b>
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The Committee is asked to consider whether, under Section 100A(4) of the Local Government Act, 1972, it considers that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated against the heading to the item.

**Part II (Not open to Press and Public)**

**7. Complaint Against a County Councillor: Report of the Monitoring Officer** (Pages 5 - 30)

(Not for Publication – Exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information).

**8. Complaint Against a County Councillor: Report of the Monitoring Officer** (Pages 31 - 56)

(Not for Publication – Exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information).

I Young  
County Secretary and Solicitor

County Hall  
Preston

# Agenda Item 3

## Lancashire County Council

### Conduct Committee

**Minutes of the Meeting held on Tuesday, 13th August, 2013 at 2.00 pm in The Diamond Jubilee Room (Formerly Cabinet Room 'B') - County Hall, Preston**

#### **Present:**

County Councillor Jennifer Mein (Chair)

#### **County Councillors**

A Atkinson

J Shedwick

D Howarth

M Tomlinson\*

#### **Independent Person**

Terry Whitehead

\*County Councillor Matthew Tomlinson replaced County Councillor David Borrow for this meeting only.

#### **1. Apologies**

None.

#### **2. Disclosure of Pecuniary and Non-Pecuniary Interests**

There were no interests declared.

#### **3. Constitution: Chair and Deputy Chair; Membership; Terms of Reference**

**Resolved:** That the constitution, membership and Terms of Reference of the Conduct Committee be noted.

#### **4. Summary of Code of Conduct Complaints Received 2012-13**

The Committee were presented with a summary of complaints received against the Code of Conduct and dealt with by the Monitoring Officer or Deputy Monitoring Officer in the year July 2012 to July 2013.

**Resolved:** That the summary of complaints against the Code of Conduct dealt with by the Monitoring Officer or Deputy Monitoring Officer for the period July 2012 to July 2013 be noted.

## **5. Urgent Business**

There was no Urgent Business.

## **6. Date of Next Meeting**

It was noted that the Conduct Committee met as required in accordance with the agreed Complaints procedure.

## **7. Exclusion of Press and Public**

**Resolved:** That under Section 100A(4) of the Local Government Act 1972, the committee agreed that the public should be excluded from the following item of business on the grounds that there would be a likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

## **8. Complaint against a County Councillor: Report of the Deputy Monitoring Officer**

The Committee considered a complaint made under the Code of Conduct by County Councillor Bill Winlow against County Councillor Geoff Driver. The process for the consideration of complaints in accordance with the principles agreed by full council were set out, along with the specific issues in the case as set out in the report.

The Committee then discussed the issues in relation to the complaint. County Councillor Geoff Driver attended and spoke to the committee in accordance with Standing Order 19(1).

The Committee considered whether there had been a breach of the code. The views of the Independent Person were sought. Following consideration of those views it was:

**Resolved:** That, having regard to the views of the Independent Person, the conduct of County Councillor Driver at the meeting on 21 May amounted to a breach of the Code of Conduct in that he had failed to treat Cllr Winlow with respect.

The committee then considered the appropriate sanction. The views of the Independent Person were again sought. Following consideration of these views, it was:

**Resolved:** That,

- i. having regard to the views of the Independent Person, County Councillor Driver should provide a written apology to Cllr Winlow in respect of Councillor Driver's conduct at the meeting on 21 May.
- ii. the terms of the apology were not prescribed.

I M Fisher  
County Secretary and Solicitor

County Hall  
Preston



# Agenda Item 7

(NOT FOR PUBLICATION: By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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# Agenda Item 8

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