

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