

TORRIDGE DISTRICT COUNCILSTANDARDS COMMITTEE MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSMonday, 30 January 2017 - 2.00 pm

PRESENT

Councillor K Carroll (Chair)
 Councillors B Boundy, M Langmead, S Robinson, D Brenton,
 M Brown and G Dezart

Roger Levick	Independent Persons
Barbara Berkhauser	Independent Persons
Richard Clark	Parish Representative
Harold Martin	Parish Representative

ALSO PRESENT

S Dorey	-	Solicitor
J Hollis	-	Senior Solicitor
J Walter	-	Governance Manager
T Vanstone	-	Democratic Services Officer
Frances Randle	-	Cllr Brenton Legal Representative
Councillor Christie		
Councillor Hackett		
Councillor Hurley		

4 Members of Public

The Chair welcomed everyone to the meeting.

1. DECLARATIONS OF INTEREST

The Chair asked that declarations of interest be made as and when the specific agenda item to which they related was under discussion.

2. AGREEMENT OF AGENDA BETWEEN PARTS I AND II (IF APPLICABLE)

The Agenda, as circulated, was agreed.

3. EXCLUSION OF MEMBERS OF THE PUBLIC

It was proposed by Councillor Langmead, seconded by Councillor Dezart –

That under Section 100(a)(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 1 of Part 1 and Paragraph 10 of Part 2 of schedule 12A of the local Government Act 1972.

Following concerns raised with regard to moving the meeting into Part II, advice was given by the Governance Manager.

(Vote: For 6, Abstention 1)

4. PART II (CLOSED SESSION)

5. CODE OF CONDUCT COMPLAINT

Councillor Carroll introduced this item and referred Members to a complaint concerning the conduct of Councillor David Brenton, an elected member of Torridge District Council.

The complaint relates to an allegation that Councillor Brenton has disclosed information to the press which the Council deemed to be exempt in nature in breach of the Members Code of Conduct. The allegations potentially constitute a breach of Paragraph 5 (disclosure of confidential information), 6 (leading the Council to be in breach of legislation) & 7 (having regard to advice provided to you by the Council's officers) of the Code of Conduct for Members.

Evidence and finding of fact

The Committee listened to the evidence from Councillor Brenton and his legal representative regarding any disagreement of fact from the Investigators report. The Committee then asked questions to Councillor Brenton's legal representative and Torridge District Council's Solicitor.

The Chair then requested that all parties leave the room so the Committee could consider the facts.

After consideration, all parties were invited to return to the room.

The Standards Committee considered the facts and found that the Community & Resources meeting on 23 May had properly entered into Part II (Closed Session).

Decision

The Committee heard representations from Councillor Brenton's legal representative and Torridge District Council's Solicitor as to whether or not Councillor Brenton had breached Torridge District Council's Code of Conduct for Members.

The Chair then requested that all parties leave the room so the Committee could consider the representations.

After consideration, all parties were invited to return to the room.

Having considered the evidence before it, as well as the written and verbal representations of Councillor Brenton and his legal representative, the Standards

Committee found that Council Brenton had breached the following provisions of the Torridge District Council Code of Conduct for Members:

- Paragraph 5 (i): You must not disclose information given to you in confidence by anyone, or information acquired by you or provided to you by the Council which you believe, or ought reasonably to believe, is of a confidential nature or is capable of being treated as confidential.
- Paragraph 7: You must have regard to any relevant advice provided to you by the Council's officers and other external bodies or officers.

Sanctions

The Committee heard representations from Councillor Brenton and his legal representative as to whether any sanctions should be applied.

The Chair then requested that all parties leave the room so the Committee could consider the representations.

After consideration, all parties were invited to return to the room.

In light of the above findings, the Standards Committee resolved to impose the following sanctions:

- To issue a censure to Councillor Brenton;
- To report the findings of the Standards Committee 30 January 2017 meeting to Full Council;
- To recommend to Councillor Brenton Group Leader that Councillor Brenton be removed from Torridge District Council's Standards Committee.

It was proposed by Councillor Langmead, seconded by Councillor Robinson and –

Resolved:

That the meeting return to Part I and that any press and public be readmitted.

The meeting commenced at 2.00 pm and closed at 5.09 pm

Chair:

Date: