MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE HELD ON WEDNESDAY, 7 DECEMBER 2016

COUNCILLORS

PRESENT	Claire Stewart, Joanne Laban, Katherine Chibah and Alessandro Georgiou
	Christine Chamberlain and Sarah Jewell (Independent Persons)
OFFICERS:	Asmat Hussain (Assistant Director Legal) Penelope Williams (Secretary)

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WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting. There were no apologies for absence.

245
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246
SUBSTITUTIONS

There were no substitutions for this meeting.

247
DECLARATION OF INTERESTS

There were no declarations of interest.

248
INDEPENDENT PERSON - EXTENSION OF TERM OF OFFICE

Sarah Jewell, Independent Person, left the meeting while this item was being discussed.

The Committee received a report from the Monitoring Officer on options for extending the term of office of one of the independent persons. (Report No: 166)

NOTED

1. The Monitoring Officer's recommendation that we should extend the appointment for a further two years to ensure consistency. That she

valued the input, guidance and support that she had received and felt that it would be a benefit to the Council to extend the appointment.

2. The committee had no objections.

3. Sarah Jewell had indicated her willingness to continue.

AGREED to recommend that Council extend the term of appointment of Sarah Jewell (Independent Person) whose current term of office came to an end on 8 October 2016 by two years to 8 October 2018.

Sarah Jewell returned to the meeting.

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UPDATE ON COMPLAINTS RECEIVED

The Committee received a report from the Monitoring Officer on a complaint that she had received from Councillor Neville about Councillor Erbil. (Report No: 167)

NOTED

1. The part of the complaint concerning the first offence committed by Councillor Erbil, was set aside as it was felt that too much time had passed since the incident had occurred.

2. The rules of natural justice applied.

3. Even though the matters had been dealt with by the Courts, it was felt that the Councillor Conduct Committee should have the opportunity to consider the complaint, hear the representations from both the complainer and the complained against, to decide whether the councillor had breached the Council's Code of Conduct and whether any sanctions should be imposed.

4. The advice of Christine Chamberlain, Independent Person that the earlier matter should be set aside, but that the second matter of the two more recent offences and the misleading statement should be considered at a hearing of the committee.

5. The matter had previously been dealt with by the Labour Party's own internal complaints procedure.

6. Following a discussion, and consideration of the eligibility criteria for complaints as set out in paragraph 3.2 of the Council's procedure for handling complaints, the committee agreed that a hearing should be held.

AGREED that a hearing should be arranged to consider the complaint. A date would be found in the New Year.

The Monitoring Officer reported on the other complaints under consideration.

Complaint 1 – the Monitoring Officer had received a complaint, from 50 people against 38 members of the majority group, in regard to their behaviour at the Council meeting held on 21 September 2016.

Two of the original 50 signatories to the complaint had subsequently contacted the Monitoring Officer independently to advise her that, although they had attended a meeting concerning the complaint, they had not signed the complaint letter.

The Monitoring Officer reported that she had considered the complaint with one of the Independent Persons, Sarah Jewell, and had decided that it did not meet the criteria for eligibility as set out in Paragraph 3.2 of the Procedure for Handling Complaints. She had decided that as legal action was also under way, and it would be more appropriate for the complaints to be dealt with under another complaint procedure as they did not relate to members. In this case there was no right of appeal against the Monitoring Officer decision.

Complaint 2 – This complaint, received from a member of the public against Councillor Anderson, was subject to a live investigation and was being considered by external lawyers.

Complaint 3 – This complaint, received from Councillor Neville regarding Councillor Chibbah, was still being considered by the Monitoring Officer.

Complaint 4 – This complaint, from a member of the public against Councillor Erbil, was being considered in consultation with one of the Independent Persons.

The Monitoring Officer thanked the independent persons for their outstanding help in assisting her in these matters.

A further update would be provided at the next meeting.

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MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 10 October 2016 were received and agreed as a correct record.

251
WORK PROGRAMME 2016/17

The Committee considered the work programme for 2016/17.

NOTED

1. That items on the review of the procedure for handling complaints and the review of members' expenses would now be considered at the meeting to be held on 2 March 2016.
2. The update from the Independent Person training would be postponed to the first meeting of the new municipal year.

AGREED to note the work programme for 2016/17 as amended.

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DATES OF FUTURE MEETINGS

NOTED the dates agreed for future meetings of the Committee as follows:

- Thursday 2 March 2017