

## City of Durham

At a Meeting of the **STANDARDS COMMITTEE** held in Dragonville Offices, Durham, on Wednesday, 5<sup>th</sup> March, 2008, at 9.30 a.m.

**Present:** Mr B.R.J. Ingleby (in the Chair)  
and Councillors Holland, Moderate and Simpson (City Council Members)  
and Councillors J.S. Anderson and Mrs P. Hudson (Parish Council Members)  
and Mrs T. Naples (Independent Member).

### **509. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Thompson and Mr Hollingworth.

### **510. DECLARATION OF MEMBERS' INTEREST**

Councillor Holland then declared a prejudicial interest in the matter and remained in the room as a member of the public observing the hearing.

#### **Report of Monitoring Officer**

### **511. DETERMINATION OF LOCAL INVESTIGATION – SBE 19731.07**

The Committee considered the report of the Investigating Officer dated 15<sup>th</sup> January, 2008, copies of which had been circulated.

Councillor Holland then declared a prejudicial interest in the matter and remained in the room as a member of the public observing the hearing.

The Committee then considered whether members of press and public should be excluded from the meeting and determined that there was no need to exclude the press and public.

The panel heard from the Investigating Officer, Councillor Fawcett, Councillor Clark, Councillor Wilkinson, Councillor Wilkes, and Mr Gilbank. They considered the Investigating Officers report, together with the supporting documentation.

In relation to the first matter complained of, the Standards Committee found the matter fell to be determined under the 2001 Code of Conduct. Accordingly, the Committee found that in respect of the allegation that Councillor Fawcett failed to treat Mr Gilbank with respect and thereby breached the Code of Conduct, the remark made by Councillor Fawcett was that Mr Gilbank could wipe that smile of his face. The Committee did not find this to be a breach of the Code of Conduct. In respect of the allegation that a member must not in his official capacity or any other circumstance conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute, the Committee did not find that Councillor Fawcett's conduct was such that he brought his office or authority into disrepute. The above findings were by majority of the Committee.

The allegations in respect of the incident outside of the meeting fell to be determined under the 2007 Code of Conduct. The Committee accepted the findings of the Investigating Officer's report in respect of that matter and therefore found no breach of the Code of Conduct. This was a unanimous decision of the panel.

However, despite these findings, the Committee were concerned about the way in which business appeared to be being conducted by the West Rainton and Leamside Parish Council. The Committee therefore recommended that all members of the parish council consider the need for training on matters of conduct and procedure. In particular, the

Committee recommended that those who do or may Chair the council meetings receive training aimed at how to chair meetings.

**Resolved:** That the outcome of the hearing be publicised.

The meeting terminated at 11.45 a.m.

Chair