

**MINUTES OF THE STANDARDS SUB-COMMITTEE MEETING HELD ON  
THURSDAY 31 JANUARY 2013**  
3.00 pm – 3.43 pm

**Responsible Officer:** Shelley Davies  
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**Present:**

Mr M Bennett, Mrs P Dee and Mr R Evans.

**Officers Present:**

Graham White (Solicitor) and Shelley Davies (Committee Officer)

**1.0 ELECTION OF CHAIRMAN**

**1.1 RESOLVED:**

That Mr M Bennett be appointed Chairman of the Standards Sub-Committee for the duration of the meeting.

**2.0 APOLOGIES FOR ABSENCE**

2.1 None received.

**3.0 DISCLOSABLE PECUNIARY INTERESTS**

3.1 Members of the Committee were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

**4.0 APPLICATION FOR DISPENSATION**

4.1 Consideration was given to a report by the Monitoring Officer – copy attached to the signed minutes – on whether a dispensation should be granted to Councillor Mal Price who had disclosable pecuniary interests in matters concerning Severnside Housing due to his position on the board of Directors of Severnside Housing as the Councils nominated representative.

4.2 With regards to the application from Councillor Price, the Solicitor explained that the dispensation was requested to enable him to participate in the discussion and to vote on matters which relate to Severnside Housing at meetings of Shropshire Council on the grounds that it is in the interests of

persons living in the Councils area. If granted the dispensation would run until 3<sup>rd</sup> July 2013.

- 4.3 Members of the Sub-Committee were in agreement that it would be appropriate and beneficial to the residents of Shropshire for Councillor Price to participate in the discussion on matters which relate to Severnside Housing but agreed that it would not be appropriate for Councillor Price to vote on these matters.

4.4 **RESOLVED;**

(a) That, in accordance with section 33 (1) of the Localism Act ("the Act"), the Sub-Committee grants a dispensation from Section 31 (4) (a) of the Act to Councillor Price to participate in the discussion but not to vote on matters which relate to Severnside Housing at meetings of Shropshire Council (including cabinet and any other formal decision making committees) on the grounds that it is in the interests of persons living in the Council's area.

(b) That the dispensation granted in (a) above last until 3 July 2013 or until such time as the Councillor Price ceases to be a Director of Severnside Housing, whichever is the sooner.

**5.0 EXCLUSION OF PUBLIC AND PRESS**

5.1 **RESOLVED:**

That in accordance with the provisions of Schedule 12A, Local Government Act 1972 and paragraph 10.4(1) of the Council's Access to Information Procedure Rules, the public and press be excluded during consideration of the following agenda item

**6.0 CODE OF CONDUCT COMPLAINT**

Consideration was given to an exempt report of the Monitoring Officer in relation to an allegation that two Shropshire Councillors had failed to comply with the Code of Conduct of Shropshire Council.

The Solicitor presented the report to the Sub-Committee providing information in relation to the complaint and outlined the options available to the Sub-Committee.

The Sub Committee Members had regard to the representations made by the Councillors in response to the allegations and did not consider that any evidence had been provided to suggest that the Councillors had failed to comply with the Code of Conduct of Shropshire Council.

**RESOLVED:**

**The Standards Sub-Committee did not consider that it would be in the public interest to carry out any further investigation of the matter as it would be unlikely to conclude that there had been a failure to comply**

with the code of conduct in respect of the allegations in relation to both Councillors.

**REASONS:**

**Allegation 1 – Forwarding Privileged information addressed solely to the recipient in order to make profit.**

Members did not consider that the content of the e-mail was of a confidential nature or that the wording of the e-mail disclaimer included at the end of the message was sufficient to have caused the Councillor to consider that the message should not be forwarded to third parties.

They considered that forwarding the message to third parties was a genuine attempt by the Councillor to assist in the promotion of a Shropshire business which was also an economic priority of the Council.

**Allegation 2 – Ignoring Issues and making false claims**

Members considered that the Councillor had made every effort to assist the complainant in the promotion of his business. The Councillor had suggested other organisations that might have been in a position to utilise the service offered by the complainant and he could not be held responsible for the failure of other organisations to respond.

Members noted also that Shropshire Council had existing contractors and a formal tendering process and that it would have been inappropriate for the Councillor to have used their position to interfere with that or place pressure on officers to award a contract otherwise than in accordance with that process.

The Sub-Committee did not consider that the complainant had provided any information with regard to the allegation that the Councillor had bullied him.

Signed ..... (Chairman)

Date:.....