

Meeting Date: 8 January 2013

Committee: Standards Committee

Key Decision: Not applicable

Within Policy and Budget Framework: Yes

Public/Private*: Public

Title: **Code of Conduct Complaint: Cllr R Watson OBE**

Report Number: GD.02.13

Report of: Director of Governance

PURPOSE/SUMMARY:

The Standards Committee recently heard and upheld in part complaints that Cllr R Watson OBE had breached the Council's Code of Conduct for elected Members. The Standards Committee determined that the appropriate action was that the matter be reported to Council for information.

RECOMMENDATION:

That Council receive and note the decision of its Standards Committee.

TRACKING:

Standards Committee:	10 December 2012
Council:	8 January 2013

1. BACKGROUND

- 1.1 The Council received two complaints that Cllr Watson OBE had breached the Code of Conduct for Members. Specifically, that he participated in a Meeting of the Council on 8 November 2011 when it was alleged that he had a personal and prejudicial interest in an item of business before the Council, namely a Motion concerning the forthcoming Police Commissioner election, and should, therefore, have declared such an interest and withdrawn from the Chamber during that item of business. The said interest arose by virtue of the fact that Cllr Watson was a Member of Cumbria Police Authority.
- 1.2 The complaints were heard at a Meeting of the Council's Standards Committee on Monday 10 December 2012.

2. FINDINGS OF FACT

- 2.1 The Standards Committee found that Cllr Watson's Membership of the Cumbria Police Authority constituted a personal interest under the relevant Code of Conduct for Members' as the body was one exercising functions of a public nature.
- 2.2 It was recorded that, at the Meeting of the City Council on 8 November 2011, Cllr Watson declared a personal interest, remained in the Meeting and spoke and voted on the Motion relating to the Police Commissioner as set out on the Agenda Paper.
- 2.3 The Standards Committee considered the substance of the complaints to the effect that the nature of Cllr Watson's personal interest was such that he should have, in accordance with the Code of Conduct for Members applicable at the time, declared a personal and prejudicial interest and withdrawn from the Meeting by virtue of the fact that Cllr Watson's position on the Police Authority merited a financial payment. The Standards Committee also considered whether Cllr Watson had brought his office and the Authority into disrepute. The Committee considered the report of the Investigating Officer; submissions from Cllr Watson and received advice from the Independent Person.

3. DECISION

- 3.1 Having weighed the evidence the Standards Committee held that:
 1. A member of the public with knowledge of the relevant facts would reasonably regard Cllr Watson's interest as so significant that it is likely to prejudice the Member's judgement of the public interest.

2. Accordingly, Cllr Watson OBE had failed to declare a personal and prejudicial interest and withdraw from the Council meeting on 8 November 2011 and had, therefore, breached the Code of Conduct for Members.
3. However, in weighing the evidence the Standards Committee did not uphold the complaints that Cllr Watson OBE had brought his office or the authority into disrepute.

4. SANCTION

- 4.1 That the findings of the Standards Committee be reported to the Council for information.

Contact Officer: Mark Lambert

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Appendices attached to report: None

In compliance with Section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Complaint Form; Code of Conduct Procedure; Investigating Officers Report.

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - None

Community Engagement – None

Economic Development – None

Governance – Compliance with the Code of Conduct is an important part of ensuring public confidence in the system of Local Government.

Local Environment – None

Resources - None