

ASSESSMENT SUB-COMMITTEE

1 JULY 2019

PRESENT:

Councillors Betteridge, Greatorex, Ho, Norman, Spruce and White

1 APPOINTMENT OF CHAIRMAN

Councillor Greatorex was appointed as Chairman.

2 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: "That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the following items of business, which would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act"

3 DECLARATIONS OF INTEREST

Councillors White, Greatorex, Spruce and Norman declared personal interests as they knew Councillor Leytham from their work on the Council. Councillors White, Greatorex, Spruce and Ho also declared interests as Members of the Conservative Association.

4 HEARING

The Assessment Sub-Committee considered a complaint dated 3 February 2019 that Councillor Leytham had not updated his register of interest form to show correct and accurate information regarding the business interests of his wife, who was carrying out work for Lichfield City Council as the 'Pretty Little Parlour'.

The Committee reviewed the initial assessment undertaken on 7 March by Lorraine Fowkes, Deputy Monitoring Officer and Solicitor for South Staffordshire District Council in conjunction with the Independent Person that determined the complaint met the relevant tests and should be investigated for consideration by an Assessment Sub Committee of the Audit and Member Standards Committee.

The Committee then considered an investigation report dated 26 March detailing the the operation of the Pretty Little Parlour and the services it provided to Lichfield City Council as well as the Register of Interests Forms submitted by Councillor Leytham.

The report concluded that Councillor Leytham did breach the Code of Conduct. It found in mitigation that Councillor Leytham held a genuine belief that there was no element of profit or gain from the relationship and thus the need to declare did not arise.

Councillor Leytham was invited to speak and advised that his wife had originally started a business using vintage china for hire but had to stop soon after it was created due to illness.

As regards supplying City Council with flowers, in 2015 she found a not very good floral display and offered to supply silk flowers at cost to tidy up the parlour and also made a wreath for the market square. She only charged cost for this to the City Council as no profit was to be made. Councillor Leytham said it hadn't occurred to him that this was a business transaction. He accepted that his 2018 declaration should probably have included his wife's details but it was a closed business as far as he was concerned.

As for the contractual complaint – his wife had given flowers to Lichfield City Council which were at cost price but were not for profit – he did not see it as a business as it didn't make any money.

Councillor Leytham asked the committee note the paragraph in the investigating officer's report accepting as mitigation that he did not see the relationship as a business one with any element to profit or gain. He accepted he should have declared an interest but that was his genuine belief at the time.

The Sub-Committee noted that the complainant had been invited to attend and give representations but had declined to do so.

Sub-Committee members then asked questions in connection with the complaint.

The Independent person was invited to give his opinion and the investigating officer was given the opportunity to respond to any issues raised during the meeting.

DECISION

The Sub-Committee having examined all the available evidence and having given Councillor Leytham the opportunity to speak found that Councillor Leytham had not understood the letter and spirit of the Code of Conduct and resolved to censure Councillor Leytham and request that he undertake Code of Conduct training.

(The Meeting closed at Time Not Specified)

CHAIRMAN