

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

| Date and Members of Sub-Committee | Subject Member | Alleged Breach(es) | Main Points Considered | Decision |
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| 9th March 2010 Mr. P. Purnell (Chairman) Mr. K. Overton Cllr. P. Murray | District Councillor | Paragraph 4 You must not:- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:- (i) you have the consent of a person authorised to give it; (ii) you are required by law to do so; (iii) the disclosure is made to a third party for the purpose of obtaining | <p>The complainant stated that an article appeared in a local newspaper on 12th February 2010 which stated that <i>“a political row has erupted over a deal which could see a Conservative Party donor paid a six figure sum from the public purse by a Tory-controlled council to enable two developments in Swadlincote to proceed”</i>. This related to a requirement for the Council to buy out mineral rights and acquire a 125 year lease to secure a right of way and parking spaces from a local landowner who had donated monies to South Derbyshire Conservatives from 2005 to 2008.</p> <p>The article went on to state that Labour Councillors said this created a conflict of interest for Conservative Members which would prevent them from taking part in the decision making process. The article reported that a meeting of the Standards Committee was taking place that evening (12th February 2010) to consider applications for dispensations from the Conservative Members to allow them to take part in the voting. The newspaper article contained quotes from the subject Member and two Conservative Councillors.</p> <p>The complainant stated that a further article appeared in the same newspaper on 16th February 2010, reporting the decision of the Standards Committee on 12th February 2010 regarding the applications by Conservative Councillors for dispensations.</p> <p>The complainant went on to allege that when a reporter telephoned a Conservative Councillor for a quote for the</p> | Paragraph 4 The information provided by the Complainant did not contain sufficient nor corroborative details to meet the threshold for an incident that could be regarded as a potential breach of the Code and it was therefore not intended to refer the complaint for investigation or other action. |

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| | | <p>professional advice provided that the third party agrees not to disclose the information to any other person; or</p> <p>(iv) the disclosure is:-</p> <p>(aa) reasonable and in the public interest; and</p> <p>(bb) made in good faith and in compliance with the reasonable requirements of the authority; or</p> <p>(b) prevent another person from gaining access to information to which that person is entitled by law.</p> | <p>article which was to appear on 12th February, the reporter told the Councillor that the subject Member had told of the proposals regarding mineral rights under the Wilmot Road site. The complainant stated that this could only mean that the subject Member had disclosed matters from exempt items from the Finance and Management Committee meetings of 25th January 2010 and/or 16th February 2010.</p> <p>The complainant alleged that this was a clear breach of Paragraph 4 of the Members' Code of Conduct, without the defence possible under Paragraph 4(a)(iv).</p> | |