

Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

STANDARDS AND GENERAL PURPOSES COMMITTEE

9 MAY 2017

(7.15 pm - 8.35 pm)

PRESENT: Councillor Peter McCabe (in the Chair), Councillors Janice Howard, Agatha Akyigyina, Stephen Crowe, John Dehaney, Ian Munn, Gregory Udeh, David Williams, Michael Bull, Mike Brunt and Martin Whelton

ALSO PRESENT: Councillor Stephen Alambritis
Independent Persons Pam Donovan and Derek Prior
Paul Evans, Monitoring Officer
Julia Regan, Head of Democracy Services

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Adam Bush for whom Councillor Michael Bull was present as substitute. Apologies were also received from Councillor Mary-Jane Jeanes.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest, pre-disposition or bias.

3 INDEPENDENT INVESTIGATORS REPORT (Agenda Item 3)

The Monitoring Officer, Paul Evans, reminded the Committee of the background to the report of the Independent Investigator. The Monitoring Officer had discussed the report with the Independent Person, Derek Prior, and their recommendation was that the Committee agree the recommendations made by the Independent Investigator in his report.

The Independent Investigator, Richard Penn, described how he had undertaken the investigation, provided details of his findings and explained how he had reached the two recommendations set out in his report.

Committee members thanked the Independent Investigator for the provision of a detailed and balanced report.

In response to a question from Councillor Michael Bull, members of the Committee discussed and had differing views on whether a breach of the Council's Protocol on the Use of Resources was de-facto a breach of the Code of Conduct. The Independent Investigator said that he hadn't considered this as part of his investigation.

The Independent Person, Derek Prior, said that he and the Monitoring Officer had considered this issue when they drafted the terms of reference for the investigation. Their conclusion was that as there had been no intent to breach the protocol, that it was a mistake that had been rectified and apologised for, the work of the

independent investigation should focus on identifying whether there had been a breach of the Code of Conduct in relation to the principles of leadership and objectivity.

Councillor David Williams asked whether, as Leader of the Council, Councillor Stephen Alambritis had a greater responsibility in relation to the leadership principles within the Code of Conduct. The Independent Investigator said that the leadership principles do not make additional demand on those councillors who have leadership roles. He said that Councillor Alambritis was acting as a ward councillor in regard to the letter, although the letter does make clear that he was also Leader of the Council.

Members asked whether, further to the repayment of the business reply service costs, there had been additional costs to the Council. The Monitoring Officer said that, apart from the appointment of the Independent Investigator, all other costs had been absorbed as part of the normal business of council officers.

The Chair invited Councillor Stephen Alambritis to respond to the recommendations made by the Independent Investigator. Councillor Stephen Alambritis made the following statement:

“I appreciate the opportunity to say a few words tonight.

I would like to thank Mr Richard Penn the independent investigator for his work on the Report.

I will deal with the two recommendations in the Report. I will take the second recommendation first.

Recommendation 2 is aimed at all the political groups and here I know we as leaders of our groups will do all we can to expedite this recommendation.

I now turn to recommendation 1. In terms of recommendation 1, if the recipients of this Labour Party communication felt confused then I apologise for this. We received a huge response from residents but just 7 complaints and these were mostly from people who were not recipients themselves.

However I acknowledge that even one complaint is one more than I would want and I am certainly sorry if any confusion was felt.

Again thank you for this opportunity to say a few words.”

The Chair asked that a copy of Councillor Stephen Alambritis’s statement be provided to the Head of Democracy Services and be published on the website.

Councillor Mike Brunt proposed and Councillor Martin Whelton seconded a resolution to accept the two recommendations made by the Independent Investigator. A vote was taken – 7 members voted in favour and 4 members abstained.

RESOLVED: That, having considered the report of Richard Penn, the Independent Investigator, into complaints made against Councillor Stephen Alambritis, the Committee agrees the following recommendations:

Recommendation 1

That Councillor Alambritis should consider making a formal apology to the Standards and General Purposes Committee for his action in initiating the Labour Party consultation, an apology that recognises that not only did the Labour Party letter cause confusion among many of his recipients but that it also damaged trust and confidence in the Council generally and specifically in him as Leader of the Council.

Recommendation 2

That the requirements of the Protocol on the Use of Council Resources rules are reinforced generally within the political groups and those who support them, and specifically that the rules on the use of the Council's Business Reply Service are reinforced to avoid any repetition in the future.

This page is intentionally left blank