



Delivering local determinations and setting sanctions

Exercise 3

You are a member of your authority's standards committee. You have found Councillor Rudy Favor has breached your authority's Code of Conduct for members. He is found to have been disrespectful to officers and to have sought to improperly influence a decision in which he had a prejudicial interest.

The facts of the case are as follows:

Cllr Favor is a member of the planning committee. His son made an application for planning permission to erect two dwellings on a plot of land next to his house. Officers recommended refusal of the application on the basis that the site would be over-developed.

Cllr Favor demanded to see the planning officer who dealt with the application and during the course of a heated meeting shouted at him calling him "a useless incompetent half-wit with no idea about how to apply planning policy" and "a biased lackey of the current administration who is doing their bidding to secure a promotion." Cllr Favor demanded to see his line manager. At the meeting with the line manager he questioned him at length about the planning officer's recommendation and implied that it is wrong.

Cllr Favor attended the meeting at which his son's application was considered. He declared a prejudicial interest at the start of the item and in the course of so doing said "Under the Code of Conduct I have to leave this meeting and will not be able to take part in the discussion about Mr Favor's perfectly reasonable planning application which has inexplicably been recommended for refusal by an officer who clearly has difficulty distinguishing his elbow from another part of his anatomy. Nevertheless I hope you will see through all that and grant the application." He then left the room.

You now need to decide what sanction, if any, to impose.

If, before the hearing, Cllr Favor denies the conversations with the planning officer and his line manager took place what witnesses would you expect to hear from?