

Decision Maker:	Standards Committee
Date of decision;	27 February 2013
Relevant Authority:	Oxford City Council
Reference Number:	703/4/39
Complainant:	Peter Sloman
Councillor:	Councillor Alan Armitage
Date Complaint Received:	18 July 2012
Date of Decision Notice:	27 February 2013

Complaint

The Monitoring Officer of Oxford City Council received a complaint from Peter Sloman (Chief Executive, Oxford City Council, 'the Complainant') in relation to Councillor Alan Armitage. It was alleged that Councillor Armitage made an inappropriate remark to a member of an under 13s sports team at an Oxford Sports Council Awards Evening. Councillor Armitage, was at the event in his official capacity of Lord Mayor of Oxford to present awards to a number of individuals and sports organisations. The complainant considered that if Councillor Armitage had made the alleged inappropriate remark then he may have breached the Members' Code of Conduct.

The Code Breaches

The Complainant considered that two parts of the Code may potentially have been breached, namely paragraph 3(1) which says 'you must treat others with respect' and paragraph 5 which says 'you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute'.

Consideration and Investigation

The Monitoring Officer, after consulting the 'Independent Persons' appointed by the City Council to advise on Standards complaints, referred the complaint for investigation. The Monitoring Officer engaged an external investigator to conduct the investigation. The investigator presented his report to the Monitoring Officer and in it he concluded that there had been a potential breach of the Code and that the Monitoring Officer should convene a meeting of the Council's Standards Committee to hold a local hearing. The Monitoring Officer convened a meeting of the Standards Committee on 16 January 2013. This hearing was adjourned until 27 February 2013 because Councillor Armitage indicated that he no longer accepted the findings of fact within the investigators report and wanted the opportunity to question some of the witnesses.

Decision

The investigator presented his report before members of the Committee asked questions of him. The Committee also heard from a number of witnesses who attended the hearing at the request of the investigator. Both the Committee and Councillor Armitage questioned those witnesses. Councillor Armitage made oral submissions, which were also followed by questions from the Committee. The Committee also sought and received advice from the Independent Persons.

Having considered all of the above advice, evidence and submissions the Committee made a finding of fact that it was highly probable that Councillor Armitage did make an inappropriate comment to one of the members of the under 13s sports team.

The Committee considered that the remark was inappropriate and disrespectful and therefore amounted to a breach of paragraph 3(1) of the Code (treating others with respect).

As the Lord Mayor attended the Awards Evening in his official capacity the Committee also concluded that the inappropriate remark had brought both the office of Lord Mayor and the City Council into disrepute. The Committee therefore decided that there had been a breach of paragraph 5 (you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute) of the Code.

The Committee decided that Councillor Armitage should be censured for the breach of the Code and that the Committee's decision be reported to all members of Council. The Committee concurred with the advice of the Independent Persons that there was no reason why Councillor Armitage should not continue to undertake the full range of his mayoral duties and noted that Councillor Armitage had given an indication that he would do so.