

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Standards Committee
2.	Date:	11th June 2015
3.	Title:	R v Spencer Flower
4.	Directorate:	Resources

5. Summary

To inform members of a recent conviction of a Councillor under the provisions of the Localism Act 2011. The offence related to failing to declare a pecuniary interest.

The Councillor received a 6 month conditional discharge and was ordered to pay £930 costs.

6. Recommendations

That the Standards Committee notes the conviction.

7. Proposals and Details

7.1 Councillor Flowers was Leader of Dorset County Council and was convicted of failing to declare his interest in a company named Synergy Housing Ltd (SHL).

7.2 This was a company that provided social housing and would be affected by the Council 'Core Strategy'. Despite the fact that Councillor Flowers was a Non-Executive Director of SHL, he did not declare this to the Council meeting deciding the Core Strategy and he participated and voted at the meeting. A copy of the judgement is at Appendix 1.

7.3 The case is important for several reasons

1. This is the first prosecution under this Section of the Localism Act 2011.
2. The case reinforces the fact that it is the Councillors own responsibility to ensure that he declares interests appropriately.
3. The case advises Councillors to seek the Monitoring Officers advice when unsure.
4. The Councillor committed an offence even though there was no discernible benefit accruing to him.

8. Finance

None

9. Risks and Uncertainties

This case demonstrates the importance of seeking the correct advice before making decisions.

10. Policy and Performance Agenda Implications

Standards Committee – Ethical Framework.

11. Background Papers and Consultation

Case report, Members Code of Conduct

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