

Minutes of a meeting of the  
Standards Committee Assessment Sub-Committee held on  
13 October 2010 commencing at 1:30 p.m.

Present: Independent Member: Mr K Painter (Chairman)  
Parish/Town Council Representative: Mr. D W Taylor  
District Council Representative: Cllr G M Ryan  
Deputy Monitoring Officer: Mr D Williamson

1. DECLARATIONS OF INTEREST

Cllr Ryan declared that he had met the Subject Member in complaint FC38 in a business context.

2. EXCLUSION OF PRESS AND PUBLIC

Resolved: That the meeting of the panel to discuss the allegations of Member misconduct (reference FC37 & 38), be held in confidential session.

3. CONSIDERATION OF ANY ALLEGATIONS THAT A MEMBER HAS BREACHED THE CODE OF CONDUCT

FC37

This matter related to a Parish/Town Councillor.

Resolved: That the subject member be provided with a summary of the details of the complaint.

The potential breach of the Code of Conduct identified was paragraph 13 (1) and (2).

Registration of Members' Interests

13. (1) Subject to paragraph 14, you must, within 28 days of:-
- (a) this Code being adopted by or applied to your authority; or
  - (b) your election or appointment to office (where that is later),
- register in your authority's Register of Members' Interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's Monitoring Officer.

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- (2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's Monitoring Officer.

Resolved: The Sub-Committee recommended that the Monitoring Officer request the subject member to review his current Register of Interest Form, with particular reference to category (f) (The address or other description of any land in which I have a beneficial interest) and to confirm to her that he, himself, has no beneficial interest in the property referred to by the complainant.

The Sub-Committee found no prima facie evidence of a breach of paragraph 13 of the Code which requires details of personal interests falling within paragraph 8(a) of the Code to be registered. Members identified that the situation described in the complaint could be a Personal Interest under paragraph 8(b) of the Code, which are not required to be registered, but are required to be declared at any time that the authority is making a decision in relation to the property referred to by the complainant. However, in view of the alleged statement made by the subject member, set out at the start of the complaint, the Sub-Committee did feel that other appropriate action should be taken as set out above.

### FC38

This matter related to a Parish/Town Councillor.

Copies of an article from the "News Shopper" and an email from the complainant dated 23 September 2010 were provided to the Sub Committee in addition to the agenda papers.

Resolved: That the subject member be provided with a summary of the details of the complaint.

The potential breaches of the Code of Conduct identified was paragraph 3(1), 3(2)(b), 5 and 6(a).

3. (1) You must treat others with respect.  
(2) You must not:
  - (b) bully any person;
5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
6. You:

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- (a) must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;

Resolved: The Sub-Committee recommended that the Monitoring Officer liaises with the Clerk to the authority concerned to engage an external, independent, mediator/conciliator at the authority concerned's expense (Town Council) between the complainant and the subject member, but also to the wider membership of that authority if necessary.

The Sub-Committee found prima facie evidence of breaches of all of the paragraphs of the Code referred to above. It was apparent from the documents provided in addition to the complaint that there were a number of issues with member behaviour at the meeting of the authority concerned. It was felt that an investigation of the complaint would need a large resource and would not necessarily be able to resolve the issues. It was noted that the alleged physical threatening and assault had been reported to the police who had recorded a crime reference number. It was noted that the Monitoring Officer and the Chairman of the Standards Committee had carried out some mediation/conciliation work at the authority concerned before. Members felt that, in view of the wider issues giving context to the complaint, that this approach be stepped up, and that the authority concerned be urged to take ownership of the issues and as a result recommended other action as set out above.

THE MEETING WAS CONCLUDED AT 2:28 P.M.

