

Minutes of the meeting of the Standards Committee Assessment-Review Sub-Committee held on 3 October 2011 commencing at 2.30 pm

**Present:**

Independent Member:	Mr A Smith (Chairman)
Parish/Town Council Representative:	Cllr R House
District Council Representative:	Cllr Mrs E Purves
Monitoring Officer:	Mrs C Nuttall
Democratic Services Officer	Mr D Williamson

**1. DECLARATIONS OF INTEREST**

There were no declarations of Interest.

**2. EXCLUSION OF PRESS AND PUBLIC**

Resolved: That the meeting of the panel to discuss the allegations of Member misconduct (reference FC43R), be held in confidential session.

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

FC43R

This matter related to a Parish Councillor.

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 were:

Paragraph 5 – You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute

Paragraph 6 (a) – You 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: Referral of the complaint to the Monitoring Officer for other appropriate action:

That the Monitoring Officer be directed to offer a one-to-one training session to the subject member, with help from a member of the Standards Committee or Deputy Monitoring Officer.

**Reason**

The Review Sub-Committee thoroughly examined the complaint together with all the evidence and documents considered by the original Assessment Sub-Committee, in addition to a letter dated 25 August 2011 submitted by the complainant requesting that the matter be re-considered.

The Sub-Committee considered this information in conjunction with Standards for England guidance relating to paragraphs 2(1)(b), 5 and 6(a) of the Code of Conduct.

It was noted that the submissions by the complainant and the subject member were in conflict with regard to their perceptions of the interaction that, both agreed, did take place. The Sub-Committee noted that no hard, independent, evidence was offered to indicate what took place and felt that it was unlikely that any such evidence would be forthcoming from any investigation which would need to show, on the balance of probabilities, what actually took place between the complainant and the subject member.

The Sub-Committee also considered that the incident was not of a sufficiently serious nature to warrant an investigation as the situation on site appeared to get out of hand on both sides thereby frustrating a satisfactory outcome. The Sub-Committee noted that the complainant's perception was that the subject member was representing the Parish Council; and that the subject member had referred to her membership of the Parish Council during the incident. Whilst making no finding of fact, or apportioning blame, in the interests of public relations the Sub-Committee felt that it could be advantageous for the Monitoring Officer to offer a one-to-one session with the subject member to discuss the workings of the Code of Conduct.

THE MEETING WAS CONCLUDED AT 4.10 pm

Chairman