

Minutes of the meeting of the Standards Assessment / Review Sub-Committee
held on 23 February 2012 commencing at 2.00 pm

Present:	Independent Member:	Mr J Reece (Chairman)
	Parish/Town Council Representative:	Cllr R Parry
	District Council Representative:	Cllr M Dickins
	Monitoring Officer:	Mrs C Nuttall
	Democratic Services Officer	Mr D Williamson

1. DECLARATIONS OF INTEREST

Councillor Dickins declared that he knew most of the subject members as fellow District Councillors. Councillor Parry declared that he knew all of the subject members as Town Councillors. Mr Reece declared that he had met the subject member of FC52 in his working life.

2. EXCLUSION OF PRESS AND PUBLIC

Resolved: That the meeting of the panel to discuss the allegations of Member misconduct (reference FC51, FC50, FC49, FC52 and FC53), be held in confidential session.

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

FC51

The matter related to a Town 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:

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 into disrepute,
6. You:
 - (a) must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other

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person, an advantage or disadvantage

Resolved: Referral of the complaint to the Monitoring Officer for other appropriate action:

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.

Reason

The Sub-Committee found some prima facie evidence of possible breaches, if proven, of all of the paragraphs of the Code referred to above. It was apparent from the documents provided in addition to the complaint, including local press articles, that there were a number of issues with member behaviour at the authority concerned. Members had concerns that this behaviour was detrimental to the workings of the authority and was not in the interests of the local residents. 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 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.

FC50

The matter related to a Town 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:

3. (1) You must treat others with respect.
- (2) You must not:
 - (b) bully any person;

Resolved: Referral of the complaint to the Monitoring Officer for other appropriate action:

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.

Reason

The Sub-Committee found some prima facie evidence of possible breaches, if proven, of all of the paragraphs of the Code referred to above. It was apparent from the documents provided in addition to the complaint, including local

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press articles, that there were a number of issues with member behaviour at the authority concerned. Members had concerns that this behaviour was detrimental to the workings of the authority and was not in the interests of the local residents. 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 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.

FC49

The matter related to a Town 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:

3. (1) You must treat others with respect.
- (2) You must not:
 - (b) bully any person;

Resolved: Referral of the complaint to the Monitoring Officer for other appropriate action:

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.

Reason

The Sub-Committee found some prima facie evidence of possible breaches, if proven, of paragraph 3(1) of the Code referred to above, but did not consider the evidence was strong enough to lead to a possible breach of paragraph 3(2)(b). It was apparent from other Standards complaints considered at the same time in relation to the same authority, that there were a number of issues with member behaviour at the authority concerned. Members had concerns that this behaviour was detrimental to the workings of the authority and was not in the interests of the local residents. It was felt that an investigation of the complaint would not necessarily be able to resolve the issues. 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.

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FC52

The matter related to a Town 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:

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 into disrepute,
6. You:
 - (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: Referral of the complaint to the Monitoring Officer for other appropriate action:

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.

Reason

The Sub-Committee found some prima facie evidence of possible breaches, if proven, of paragraphs 3(1), 5 and 6(a) of the Code referred to above, but did not consider the evidence was strong enough to lead to a possible breach of paragraph 3(2)(b). It was apparent from other Standards complaints considered at the same time in relation to the same authority, that there were a number of issues with member behaviour at the authority concerned. Members had concerns that this behaviour was detrimental to the workings of the authority and was not in the interests of the local residents. It was felt that an investigation of the complaint would not necessarily be able to resolve the issues. 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.

FC53

The matter related to a Town Councillor.

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

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The potential breaches of the Code of Conduct identified were:

3. (1) You must treat others with respect.
5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office into disrepute,
6. You:
 - (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: Referral of the complaint to the Monitoring Officer for other appropriate action:

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.

Reason

The Sub-Committee found some prima facie evidence of possible breaches, if proven, of paragraph 6(a) of the Code referred to above, but did not consider the evidence was strong enough to lead to a possible breach of paragraphs 3(1) or 5. It was apparent from other Standards complaints considered at the same time in relation to the same authority, that there were a number of issues with member behaviour at the authority concerned. Members had concerns that this behaviour was detrimental to the workings of the authority and was not in the interests of the local residents. It was felt that an investigation of the complaint would not necessarily be able to resolve the issues. 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 3.30 pm

Chairman