

Minutes of a meeting of the
Standards Committee Assessment Sub-Committee held on
30 May 2012 commencing at 2:30 p.m.

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

DECLARATIONS OF INTEREST

Cllr Parry declared that he knew all the subject members, and all the complainants except for the one member of the public. This was as members of the District or relevant Town Councils.

Cllr Mrs Purves declared that she knew some of the members involved as members of the District or relevant Town Council.

Mr Riddell declared that he had come across some of the members involved in his capacity as Chairman of the Standards Committee.

EXCLUSION OF PRESS AND PUBLIC

Resolved: That the meeting of the panel to discuss the allegations of Member misconduct be held in confidential session.

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

FC56

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.

Resolved: No action.

Reason

The panel considered the information supplied by the complainant together with a copy of the published minutes of the relevant Annual Town Meeting.

The panel could see nothing in the information provided that the subject member used offensive or abusive language and so could see no evidence that was likely to lead to a potential breach of Paragraph 3(1) of the Code.

FC57

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.

Resolved: Refer the complaint to the Monitoring Officer for investigation.

Reason

The panel considered the information supplied by the complainant together with a copy of the published minutes of the relevant Annual Town Meeting.

The panel felt that the information provided by the complainant which indicated that the subject member had used offensive or abusive language towards him as a member of the public could lead to a potential breach of Paragraph 3(1) of the Code.

FC58

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:
 - (a) do anything which may cause your authority to breach any of the equality enactments (as defined in Section 33 of the Equality Act 2006);
5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority 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: No action.

Reason

The panel considered the information supplied by the complainant together

with a copy of the published minutes of the Town Council Meeting and an unsolicited statement by the subject member.

The panel could see nothing in the information provided that could substantiate a possible breach of the Code and felt that the issues raised were more related to procedural issues of the Town Council and so could see no evidence that was likely to lead to a potential breach of any of the above paragraphs of the Code.

FC59

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:
 - (a) do anything which may cause your authority to breach any of the equality enactments (as defined in Section 33 of the Equality Act 2006);
5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority 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: No action.

Reason

The panel considered the information supplied by the complainant together with a copy of the published minutes of the Town Council Meeting and an unsolicited letter from the subject member.

The panel could see nothing in the information provided that could substantiate a possible breach of the Code and felt that the issues raised were more related to procedural issues of the Town Council and so could see no evidence that was likely to lead to a potential breach of any of the above paragraphs of the Code.

FC60

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 or authority into disrepute.

Resolved: No action.

Reason

The panel considered the information supplied by the complainant together with a copy of the published minutes of the Town Council Meeting and an unsolicited letter from the subject member.

The panel could see nothing in the information provided that could substantiate a possible breach of the Code and felt that the issues raised were more related to procedural issues of the Town Council and so could see no evidence that was likely to lead to a potential breach of any of the above paragraphs of the Code.

FC61

The complainant had requested that their name be kept confidential.

The panel did not consider that sufficient evidence had been provided to allow the complainants request for confidentiality under the assessment criteria set out in Appendix S of the Council's Constitution.

The complainant withdrew their complaint.

FC62

The matter related to a District 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:

4. You must not:
 - (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought

reasonably to be aware, is of a confidential nature, except where:-

- (i) you have the consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- (iv) the disclosure is:
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority;

Resolved: No action.

Reason

The panel considered the information supplied by the complainant together with copies of relevant Sevenoaks District Council officer emails.

The panel reviewed the evidence against the definitions contained within Appendix W to the Council's Constitution relating to confidential information. The panel noted that nothing in the correspondence indicated that any of the information was confidential and could see no evidence that was likely to lead to a potential breach of paragraph 4(a) of the Code.

THE MEETING WAS CONCLUDED AT 3:36 P.M.