

Minutes of a meeting of the  
Standards Committee Assessment Sub-Committee held on  
12 April 2011 commencing at 14:40 p.m.

Present:	Independent Member:	Mr J Henderson (Chairman)
	Parish/Town Council Representative:	Mr G Clarke
	District Council Representative:	Cllr C Dibsall
	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 FC42), be held in confidential session.

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

FC42

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 3 (1) – You must treat others with respect

Paragraph 3 (2) (b) – You must not bully any person

Resolved: Other action:

That the Monitoring Officer be directed to offer a conciliation session to the complainant and the subject member, with help from a member of the Standards Committee or Deputy Monitoring Officer.

**Reason**

The Assessment Sub-Committee thoroughly reviewed the complaint together with factual information obtained from the Clerk to the Parish Council concerned, in

## **Standards Committee – Assessment Sub-Committee – 15 February 2011**

conjunction with Standards for England guidance relating to paragraphs 3(1) and 3(2)(b) of the Code of Conduct.

The Sub-Committee considered that the meeting of the Parish Council Welfare Working Group on 18<sup>th</sup> February 2011 was “conducting the business of the authority” and so the members involved would be required to comply with the Code of Conduct.

With regard to Paragraph 3(2)(b) it was noted that the complaint related to what appeared to be an isolated incident. The behaviour described did not appear to be outrageous, nor did it seem to be based on an abuse of power by the subject member. Having considered guidance included in the Standards for England “Case Review 2007” it was considered, for the reasons set out above, that there was not sufficient initial evidence to suggest a breach of paragraph 3(2)(b).

With regard to Paragraph 3(1) it was noted that the behaviour described was not what would be considered appropriate in a normal Parish Council meeting, and there was concern that the complainant had felt it necessary to leave the Working Group meeting before a conclusion had been reached on the matters being discussed. It was observed that the Working Group was not held in public, and that the subject member had attempted to make an apology to the complainant. Having considered guidance included in the Standards for England “Case Review 2007” it was considered, for the reasons set out above, that there was some evidence that could suggest a breach of paragraph 3(1). However, the Sub-Committee did not consider that the circumstances were such that it would be proportionate to investigate. The Sub-Committee decided that other action would be more appropriate and directed the Monitoring Officer to offer a session of conciliation to the complainant and subject member with help from a member of the Standards Committee or Deputy Monitoring Officer.

THE MEETING WAS CONCLUDED AT 15:55 P.M.