

Standards Committee
16 JUNE 2021

Present: Councillors: Brian Donnelly, Jim Sanson and David Skipp

Also Present: Councillor Lynn Lambert

SC/1 **ELECTION OF CHAIRMAN OF THE SUB-COMMITTEE FOR THE MEETING**

RESOLVED

That Brian Donnelly be elected Chairman of the Sub-Committee for the purposes of this meeting.

SC/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest. Given that the Complainant was a District Councillor, all Members present knew her as a colleague, but they did not have a personal or financial interest. The Monitoring Officer was satisfied that, as the Principal Authority, it was right and proper for this sub-committee of the Standards Committee to determine matters regarding District Councillors, as had been the case with previous Code of Conduct cases.

Exclusion of the Press and Public

RESOLVED

That, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for this item of business, on the grounds that it involves the likely disclosure of exempt information, as defined in Paragraph 2 of Part I of Schedule 12A of the Local Government Act 1972 (information which is likely to reveal the identity of an individual), and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

SC/3 **TO DETERMINE ALLEGATIONS FOLLOWING AN INVESTIGATION IN ACCORDANCE WITH ARRANGEMENTS IN PLACE UNDER THE LOCALISM ACT 2011**

The sub-committee considered a complaint alleging that a Slinfold Parish Councillor had breached the Members' Code of Conduct (the Code). The Complainant was a District Councillor who attended a Parish Council meeting (held virtually) where the alleged breach of the Code occurred.

The Investigating Officer introduced the report on the complaint, which alleged breaches of the following paragraphs of the Code:

Paragraph 1: He/she shall act in a way which a reasonable person would regard as respectful;

Paragraph 2: He/she shall not act in a way which a reasonable person would regard as bullying.

The sub-committee considered the conclusions of the Investigating Officer. They took account of the information supplied by the Complainant, the Subject Member's responses, the view of the Parish Representative and of the Independent Person. The sub-committee also considered the evidence gathered by the Investigating Officer comprising statements from those present at the meeting and their observations on the alleged breach.

In making their deliberations, the sub-committee were mindful of the rules regarding decision-making on planning applications at planning committees, where District Councillors should not be predetermined as to how they might vote on an item.

The sub-committee noted that there had been earlier failed attempts to mediate and resolve this complaint by local resolution but the Subject Member felt unable to engage in that process.

RESOLVED

The sub-committee decided that, on the basis of the information before them:

- i) The Subject Member has failed to comply with the following paragraph of the Code:

Paragraph 1: He/she shall act in a way which a reasonable person would regard as respectful.

- ii) There had been no breach of paragraph 2: He/she shall not act in a way which a reasonable person would regard as bullying.

Having determined that the Subject Member was in breach of Paragraph 1 of the Code, the sub-committee then considered what sanctions or remedies should be recommended.

RESOLVED

- 1) That the decisions of the sub-committee be published.

- 2) To RECOMMEND to Slinfold Parish Council:

- i) That the Subject Member makes a written apology to the Complainant;

- ii) That the Clerk and the Chairman to Slinfold Parish Council monitor contentious dialogue more closely and intervene at an earlier stage in order to prevent such dialogue from (i) causing harm to personal and professional relationships within both the Parish Council and community, and, (ii) forming the basis of a formal complaint; and
- iii) That all Slinfold Parish Council meetings are recorded.

REASON

- i) The Subject Member has failed to comply with Paragraph 1 of the Code.
- ii) Had the meeting been chaired more robustly, the opportunity for persistent questioning that amounted to disrespect would not have arisen.
- iii) It is common practice to record Parish meetings and, had there been a recording of the meeting, this case could have been resolved more simply and quickly.

The meeting closed at 12.25 pm having commenced at 11.15 am

CHAIRMAN