

MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE HELD IN
ROOM 27, WALLFIELDS, HERTFORD
ON WEDNESDAY, 2 DECEMBER 2009
AT 7.30 PM

PRESENT:

District Council Members:

Councillors R L Parker, P A Ruffles, J Warren and
M Wood

Parish Councils' Representatives

Mr C Marks

Independent Members:

Mr D Farrell
Mr T Vickers (Chairman for the meeting)

ALSO IN ATTENDANCE:

Councillor D Andrews (for Minutes 419 – 424 below)

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Monitoring Officer
Jeff Hughes	- Head of Democratic and Legal Support Services

ACTION

419 APOLOGIES

Apologies for absence were submitted on behalf of
Mr J Morpew and Mrs E Woods.

RESOLVED ITEMS

420 APPOINTMENT OF CHAIRMAN

The Committee in the absence of its Chairman, Mr J Morpew, agreed to appoint Mr T Vickers to chair this meeting.

RESOLVED – that Mr T Vickers be appointed Chairman of the Committee for this meeting.

421 EXCLUSION OF PRESS AND PUBLIC

The Committee considered whether or not to exclude the press and public from the meeting during the discussion of the item of business detailed at Minute 425 below on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7c of Part 1 of Schedule 12A of the Local Government Act 1972. The Committee agreed that this item should not be considered in public.

The Committee also agreed that the Investigating Officer's report on the complaint contained exempt information and should therefore not be made public. The Monitoring Officer's covering report did not, however, contain such information and therefore should be made public.

RESOLVED - that (A) the press and public be excluded from the meeting during discussion of the item of business detailed in Minute 425 below on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7c of Part 1 of Schedule 12A of the Local Government Act 1972, and

(B) the Investigating Officer's report on the complaint be not made public as it contains exempt information as defined in (A) above, and

(C) the Monitoring Officer's report on the complaint detailed in Minute 425 below be made

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public.

422 MINUTES

RESOLVED – that the Minutes of the meeting of the Standards Committee held on 16 September 2009 be confirmed as a correct record and signed by the Chairman.

423 INITIAL ASSESSMENTS OF STANDARDS COMPLAINTS – ASSESSMENT AND REVIEW CRITERIA AND MONITORING OFFICER PROTOCOL

The Monitoring Officer submitted a report inviting the Committee to consider and approve revised criteria for use by the Assessment Sub-Committee when conducting an initial assessment of an allegation of a breach of a Members' Code of Conduct.

The Monitoring Officer also invited the Committee to consider and approve a Monitoring Officer protocol. The protocol contained instructions to the Monitoring Officer on the discharge of functions for initial assessment and review of breach of conduct allegations.

The Committee agreed to request the Monitoring Officer to arrange a training event for its Members to review the Authority's processes to deal with Code of Conduct complaints (highlighting what was felt to work well/not so well) and to identify any lessons to be learnt. Detailed consideration of the revised assessment criteria and the Monitoring Officer protocol now submitted should form part of that training event.

RESOLVED – that (A) the Monitoring Officer be requested to arrange a training event for Members of the Standards Committee to review the Authority's processes to deal with Code of Conduct complaints (highlighting what was felt to work well/not so well) and to identify any lessons to be learnt, and

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(B) detailed consideration of the revised assessment criteria and the Monitoring Officer protocol now submitted be undertaken at the training event referred to in (A) above.

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424 CREATION OF A CONSIDERATION AND HEARINGS SUB-COMMITTEE

The Monitoring Officer submitted a report inviting the Committee to consider creating either a Consideration and Hearings Sub-Committee or a Consideration Sub-Committee.

The Committee agreed to defer consideration of this matter to the training event referred to in Minute 423 above.

RESOLVED – that consideration of whether or not to create a Consideration and Hearings Sub-Committee or a Consideration Sub-Committee be deferred to the training event referred to in Minute 423 above.

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425 COMPLAINT IN RESPECT OF TOWN COUNCILLORS: REFERENCE BSTC/01/2009

The Monitoring Officer submitted a report on a complaint that Town Councillors J Wyllie and C Woodward had breached the provisions of Bishop's Stortford Town Council's Code of Conduct

The complaint had been referred to the Monitoring Officer for investigation by the Review Sub-Committee.

The Committee noted the details of the complaint.

The Monitoring Officer drew Members' attention to the Investigating Officer's report on the complaint appended to his report.

The Investigating Officer had found that there had been no breach of the Code of Conduct by Town Councillors Wyllie and Woodward.

The Committee noted that it was required to consider the Investigating Officer's report and make one of the following findings:

- to accept a finding of no failure;
- to refer the matter to a hearing of the Standards Committee;
- to refer the matter to the Adjudication Panel for England for determination.

The Committee considered the details of the Investigating Officer's report, the relevant legislation and protocols and the evidence gathered. It noted the reasons identified by the Investigating Officer for reaching the finding now detailed.

The Committee also considered all the evidence submitted, including the evidence submitted by the complainant.

The Committee agreed to accept the finding that there had been no failure by Councillors Wyllie and Woodward to comply with Bishops' Stortford Town Council's Code of Conduct.

RESOLVED – that, in relation to complaint reference **MO** BSTC/01/2009, the Investigating Officer's finding that there had been no failure by Councillors Wyllie and Woodward to comply with Bishop's Stortford Town Council's Code of Conduct be accepted.

- (Notes: 1. Councillor M Wood declared a personal interest in the matter the subject of Minute 425 above as he was a Member of Bishop's Stortford Town Council.
2. Mr C Marks declared a personal interest in the matter the subject of Minute 425 above as the (then) Clerk of Bishop's Stortford Town Council was also Clerk to Standon Parish Council. Mr Marks advised he was a

Member of Standon Parish Council.

3. Mr C Marks and Mr T Vickers requested that their vote against the decision detailed in Minute 425 above be recorded in the Minutes.

The meeting closed at 8.48 pm

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Chairman
Date