

MINUTES OF A MEETING OF THE
STANDARDS SUB-COMMITTEE HELD IN
THE ROOM 27, WALLFIELDS, HERTFORD
ON TUESDAY 24 NOVEMBER 2015, AT
2.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors G McAndrew and C Woodward.

ALSO PRESENT:

Councillors A Alder, Copland and K Crofton.

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic and Legal Support Services
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ALSO IN ATTENDANCE:

Philip Copland	- Independent Person
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16 APPOINTMENT OF CHAIRMAN

RESOLVED – that Councillor B Deering be appointed Chairman for this meeting of the Standards Sub-Committee.

17 MINUTES

RESOLVED – that the Minutes of the meeting of the Standards Sub-Committee held on 10 September 2015 be confirmed as a correct record and signed by the Chairman.

18 EXCLUSION OF THE PRESS AND PUBLIC

The Sub-Committee considered whether or not to pass a

resolution to exclude the press and public from the meeting during the discussion of the items recorded at Minutes 19 to 22 below on the grounds that they involved the likely disclosure of exempt information as defined in provisions of the Local Government Act 1972.

The Sub-Committee also considered whether or not to make the associated reports publically available.

The Sub-Committee determined not to exclude the press and public from the meeting during the discussion of the matters recorded at Minutes 19 to 22 below and to make the associated reports publically available.

RESOLVED – that the press and public be not excluded from the meeting during the discussion of the matters recorded at Minutes 19 to 22 below and the associated reports be made publically available.

19 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT

The Sub-Committee considered a report by the Monitoring Officer on a complaint against Councillor J Cartwright alleging that he had breached the Authority's Code of Conduct.

The Sub-Committee noted the detail of the complaint and the content of subsequent 'e'-mails submitted by the complainant regarding both the allegation, subsequent "twitter" activity by Councillor Cartwright and the need for openness in the complaints procedure. The Sub-Committee also noted the content of an 'e'-mail message from one of the individuals identified by the complainant.

The Monitoring Officer confirmed that, having consulted the Independent Person, he did not consider the complaint could be resolved informally.

The Monitoring Officer invited the Sub-Committee to consider the complaint against the (published) assessment criteria of the Authority's Complaints Procedure.

The Sub-Committee retired to a separate room to consider the complaint.

After careful consideration of the complaint in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that the allegation made be referred to the Monitoring Officer for investigation – such investigation ideally to be completed as soon as possible (the Sub-Committee suggested two weeks).

RESOLVED – that after careful consideration of the complaint in consultation with the Independent Person and taking into account the Council's assessment criteria, the allegation made against Councillor J Cartwright be referred to the Monitoring Officer for investigation – such investigation ideally to be completed as soon as possible (the Sub-Committee suggested two weeks).

20 COMPLAINTS IN RESPECT OF MUCH HADHAM PARISH COUNCILLORS S BANNERMAN, A BAXTER AND I HUNT

The Sub-Committee considered a report by the Monitoring Officer on complaints received alleging that Much Hadham Parish Councillors S Bannerman, A Baxter and I Hunt had breached their Authority's Code of Conduct.

The Monitoring Officer tabled a copy of Much Hadham Parish Council's Code of Conduct.

The Sub-Committee noted the detail of each complaint and the evidence provided by each complainant in support of their allegations.

The Monitoring Officer confirmed that, having consulted the Independent Person, he did not consider the complaints could be resolved informally.

The Monitoring Officer invited the Sub-Committee to consider

each complaint individually against the (published) assessment criteria of the Authority's Complaints Procedure.

The Sub-Committee retired to a separate room to consider each complaint.

After careful consideration of the complaint made by Mrs S Wetherall against Parish Councillor S Bannerman, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as the subject had already made an apology to the complainant. The Sub-Committee noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners.

After careful consideration of the complaint made by Mrs M O'Neill against Parish Councillor S Bannerman, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as the local resident identified had received an apology from the subject. The Sub-Committee noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a

particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners.

After careful consideration of the complaint made by Mrs A Farmer against Parish Councillors S Bannerman and A Baxter, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that the allegations be referred to the Monitoring Officer for investigation. The Sub-Committee noted the evidence submitted regarding a meeting of the Parish Council held on 6 October 2015. It was evident that the debate at this meeting became heated. The Monitoring Officer was requested to notify the Parish Council that the Sub-Committee would encourage all persons involved with that Authority and the pavilion project to conduct meetings in a moderate and mutually respectful manner. Whoever was chairing meetings should use that office to achieve this objective. The Sub-Committee further noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council also of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners.

After careful consideration of the complaint made by Dr A Baxter against Parish Councillor I Hunt, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as insufficient detailed evidence was provided on the actual statement made by the subject member at the identified meeting of Much Hadham Parish Council. The Sub-Committee noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle and noted

the entitlement of elected representatives to call for transparency and accountability in relation to the expenditure of the public's money. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities and be welcoming of questions, whether from residents or councillors, designed to elicit transparency. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners. Further, all members of an Authority should treat their fellow members with respect and, where meetings become heated, a Chairman's discretion be exercised to call for a temporary adjournment to facilitate further debate in a moderate and calm manner. The Sub-Committee agreed to request the Monitoring Officer to offer to provide training to Much Hadham Parish Councillors on the provisions of their code of conduct, particularly as they apply to debate at meetings of the Authority.

RESOLVED – that (A) no further action be taken, for the reasons now detailed; in respect of the complaints made by Mrs Wetherall and Mrs O'Neill against Parish Councillor S Bannerman and Dr A Baxter against Parish Councillor I Hunt;

(B) the complaint made by Mrs Farmer against Parish Councillors S Bannerman and A Baxter be referred to the Monitoring Officer for investigation, and

(C) the Monitoring Officer be requested:

- (1) to offer to provide training to Much Hadham Parish Councillors on the provisions of their code of conduct, particularly as they apply to debate at meetings of the Authority, and
- (2) to notify Much Hadham Parish Council

that the Sub-Committee considered that all concerned with the issue at the heart of the complaint (“the pavilion project”) should ensure full transparency in relation to the associated decision making processes and financial activities and be welcoming of questions, whether from residents or councillors, designed to elicit transparency.

21 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR D ANDREWS

The Monitoring Officer submitted a report reminding the Sub-Committee that, at its meeting held on 10 September 2015, it had considered eight complaints against Councillor D Andrews alleging that he had breached the Authority’s Code of Conduct.

In respect of seven of the eight complaints, the Sub-Committee had agreed that no further action be taken.

The Monitoring Officer, in accordance with the Sub-Committee’s instructions, submitted information on any connection between Councillor Andrews and Riversmead Housing Association as identified in the remaining complaint.

The Sub-Committee noted the evidence provided by the complainant to support the assertion of a relationship between the Association and Councillor D Andrews that included a statement from a third party.

The Monitoring Officer reported that the Regional Director of Riversmead Housing Association had advised that, to the best of his knowledge, the only connection that Councillor Andrews had with the Association related to his role as a District/County Councillor in areas where his organisation owned/managed/developed homes. The Sub-Committee noted the Regional Director’s comments concerning a possible link between an officer of the Association and Councillor Andrews through their joint involvement with the

Community Voluntary Body for East Hertfordshire (CVBEH).

After careful consideration of the complaint and supplementary information provided by the complainant and Monitoring Officer regarding an alleged relationship between the subject and Riversmead Housing Association and in consultation with the Independent Person and taking into account the Council's assessment criteria and the approved process for dealing with complaints, the Sub-Committee agreed that no further action be taken as no evidence has been provided that supports the assertion of an inappropriate relationship nor bias on the part of the subject. The Sub-Committee commented that the role of a councillor was such that it was to be expected that they would know community stakeholders and would act appropriately.

RESOLVED – that after careful consideration of the complaint and supplementary information provided by the complainant and Monitoring Officer regarding an alleged relationship between the subject (Councillor D Andrews) and Riversmead Housing Association and in consultation with the Independent Person and taking into account the Council's assessment criteria and the approved process for dealing with complaints, no further action be taken as no evidence has been provided that supports the assertion of an inappropriate relationship nor bias on the part of the subject.

22 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR K CROFTON

The Monitoring Officer submitted a report reminding the Sub-Committee that, at its meeting held on 30 June 2015, it had considered a complaint alleging that Councillor K Crofton had breached the Authority's Code of Conduct.

The Sub-Committee had agreed to defer consideration of the complaint to allow the complainant to particularise their previous relationship with Councillor Crofton and that which he had had with an immediate family member in order for it to form a view on its relevance to the complaint.

At its meeting held on 10 September 2015, the Sub-Committee had considered the further information provided by the complainant regarding the family relationships identified. The Sub-Committee determined to obtain Councillor Crofton's comments on the latest information supplied by the complainant and, accordingly, deferred consideration of the complaint.

The Sub-Committee viewed the (relevant element of the) webcast of the Development Management Committee meeting that formed part of the complaint against Councillor Crofton.

It considered the further points submitted by the complainant regarding his allegation against Councillor Crofton. The complainant had also requested an opportunity to respond to any submission made by Councillor Crofton.

The Sub-Committee noted the content of the Monitoring Officer's report now submitted.

After careful consideration of the complaint and supplementary evidence provided by the complainant and the subject and having viewed the web cast of the meeting identified, and in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as the complaint was not considered sufficiently serious to warrant investigation.

RESOLVED – that after careful consideration of the complaint and supplementary evidence provided by the complainant and the subject and having viewed the web cast of the meeting identified, and in consultation with the Independent Person and taking into account the Council's assessment criteria, no further action be taken as the complaint is not considered sufficiently serious to warrant investigation.

The meeting closed at 4.50 pm

Chairman
Date