

MINUTES OF A MEETING OF THE
STANDARDS SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 25 APRIL 2016,
AT 9.30 AM

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

ALSO PRESENT:

Councillor A Alder

OFFICERS IN ATTENDANCE:

Lorraine Blackburn - Democratic
Services Officer
Catherine Whitehead - Interim Head of
Democratic and
Legal Services

ALSO IN ATTENDANCE:

Philip Copland - Independent Person

30 APPOINTMENT OF CHAIRMAN

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

31 CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced Members of the Sub-Committee
and Mr P Copland, the Independent Person. In
acknowledgement of the fact that this would be Mr Copland's
last meeting, the Chairman on behalf of Members, thanked
him for his valuable contribution to the work of the Standards
Sub-Committee.

32 MINUTES – 28 JANUARY 2016

RESOLVED – that the Minutes of the Standards Sub-Committee meeting held on 28 January 2016, be confirmed as a correct record and signed by the Chairman.

33 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 items at Minutes 34 to 41 below on the grounds that they involved the likely disclosure of exempt information as define 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 34 to 41 below and that the associated reports be made publically available.

34 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT (1)

The Monitoring Officer submitted a report on the complaint alleging that Councillor James Cartwright had breached the Council's Code of Conduct. The complaint was the first of three complaints before the Sub-Committee, alleging misconduct by Councillor J Cartwright.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation

The Monitoring Officer confirmed that, having consulted the Independent Person, she 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 Monitoring Officer invited Members to focus their consideration on whether the Member was acting as a Councillor, whether it was in the public interest to investigate this matter; whether the complaint was substantially the same as a previous complaint and whether, if proven, the circumstances of this particular case were capable of being a breach of the Code of Conduct.

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

On return, the Chairman referred to the time, the fact that there were two other complaints alleging that Councillor Cartwright had breached the Code of Conduct and that there were three Members of the public in attendance to hear five other Parish Council complaints on the agenda. The Chairman suggested that, with Members' consent, the item be adjourned until the Parish Council complaints had been determined. This was supported.

At 12.45pm, Members continued their deliberations in relation to this complaint.

After careful consideration of the complaint made by David Bromage, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that they were concerned at the evidence presented and had formed the view that Councillor J Cartwright's conduct could be capable of a breach of the Code of Conduct. The Sub-Committee agreed that on balance, with a degree of regret and mindful of the costs which would accrue, that the complaint should go forward for investigation.

The Sub-Committee was mindful of the other two complaints on the agenda alleging a breach of the Code of Conduct by Councillor J Cartwright; each complaint would be considered on its merits and that if there were any common threads, the Sub-Committee would take appropriate action.

RESOLVED – that the complaint now detailed, be investigated.

35 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT (2)

The Monitoring Officer submitted a report on the complaint alleging that Councillor James Cartwright had breached the Council's Code of Conduct. The complaint was the second of three complaints alleging misconduct by Councillor J Cartwright to be considered.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation.

The Monitoring Officer confirmed that, having consulted the Independent Person, she 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 Monitoring Officer invited Members to focus their consideration on whether the Member was acting as a Councillor, whether it was in the public interest to investigate this matter; whether the complaint was substantially the same as a previous complaint and whether if proven, the circumstances of this particular case were capable of being a breach of the Code of Conduct.

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

After careful consideration of the complaint made by Adrian McNeece, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that they were concerned at the evidence presented and had formed the view that Councillor J Cartwright's conduct could be capable of a breach of the Code of Conduct and should go forward for investigation.

RESOLVED – that the complaint now detailed, be investigated.

36 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT (3)

The Monitoring Officer submitted a report on the complaint alleging that Councillor James Cartwright had breached the Council's Code of Conduct. The complaint was the third of three complaints alleging misconduct by Councillor J Cartwright to be considered.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation.

The Monitoring Officer confirmed that, having consulted the Independent Person, she 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 Monitoring Officer invited Members to focus their consideration on whether the Member was acting as a Councillor, whether it was in the public interest to investigate this matter; whether the complaint was substantially the same as a previous complaint and whether if proven, the circumstances of this particular case were capable of being a breach of the Code of Conduct.

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

After careful consideration of the complaint made by Scott Ramsay, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that on balance, because of the continuing nature of the complaints, the public interest and the similarities between the complaints submitted to the Sub-Committee today and at a previous meeting, the complaint should go forward for investigation.

The Sub-Committee referred to the “tweet” issued shortly after a previous determination. The Sub-Committee felt that it was necessary for an investigation to consider all three complaints under one “umbrella” complaint, as expeditiously as possible.

The Sub-Committee also urged all individuals concerned to meet to resolve their differences.

The Sub-Committee expressed concern about the “tweet” which referred to East Herts District Council and formally stated that it did not condone the kind of behaviour referred to in the “tweet”.

RESOLVED – that the complaint now detailed, be investigated as one of three complaints submitted under one “umbrella” investigation.

37 COMPLAINT IN RESPECT OF PARISH COUNCILLOR I HUNT (1)

The Monitoring Officer submitted a report on the complaint alleging that Much Hadham Parish Councillor I Hunt had breached the Council’s Code of Conduct.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation.

The Monitoring Officer confirmed that, having consulted the Independent Person, she 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 made by Rodney

Key against Much Hadham 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 there was insufficient evidence to warrant an investigation. In reaching this determination, the Standards Sub-Committee expressed a view that organisations such as Much Hadham Parish Council should be encouraged to conduct themselves in a collegiate manner which achieved and encouraged contributions from all members of the community.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint by Rodney Key against Much Hadham Parish Councillor I Hunt.

38 COMPLAINT IN RESPECT OF PARISH COUNCILLOR I HUNT (2)

The Monitoring Officer submitted a report on the complaint alleging that Much Hadham Parish Councillor I Hunt had breached the Council's Code of Conduct.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation.

The Monitoring Officer confirmed that, having consulted the Independent Person, she 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 made by Richard Key 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 there was insufficient evidence to warrant an investigation. In reaching this determination, the Sub-Committee expressed a view that all Parish Councils should conduct their affairs in a collegiate manner which encouraged a contribution from all.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint by Richard Key against Much Hadham Parish Councillor I Hunt.

39 COMPLAINT IN RESPECT OF PARISH COUNCILLORS I HUNT AND P TAYLOR (1)

The Monitoring Officer submitted a report on the complaint alleging that Much Hadham Parish Councillors I Hunt and P Taylor had breached the Council's Code of Conduct.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation.

The Monitoring Officer confirmed that, having consulted the Independent Person, she 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 made by Anthony Baxter 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 there was insufficient evidence to warrant an investigation. In reaching this determination, the Sub-Committee acknowledged what was a "glitch" in the procedures at Much Hadham Parish Council and of the need to address this via

general house-keeping within the parish council procedures. The Sub-Committee did not feel that the information not appearing on their website was a material consideration for investigation.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint by Anthony Baxter against Much Hadham Parish Councillors P Taylor and I Hunt.

40 COMPLAINT IN RESPECT OF PARISH COUNCILLORS I HUNT AND P TAYLOR (2)

The Monitoring Officer submitted a report on a complaint alleging that Much Hadham Parish Councillors P Taylor and I Hunt had breached the Council's Code of Conduct. The Monitoring Officer stated that the report in the agenda was a duplication of the earlier report and circulated the Sub-Committee with the correct reports and supporting documentation.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of his allegation

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 made by Richard Key in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that:

- in relation to the complaint alleging that Much Hadham Parish Councillor I Hunt had breached the Code of Conduct, no further action be taken, as there was insufficient evidence to warrant an investigation.
- in relation to the complaint alleging that Much Hadham Parish Councillor P Taylor had breached the Code of Conduct, no further action be taken, as there was insufficient evidence to warrant an investigation.

With regard to the information omitted from the website, the Sub-Committee referred to Penny Taylor's email of 8 January 2016 in which she had sincerely apologised. The Sub-Committee referred to the advice sought from the Hertfordshire Association of Parish Town Councils (HAPTC) by the Parish Council and the advice from HAPTC (given orally) to the Parish Council.

In reaching this determination, the Sub-Committee expressed a view that all Parish Councils should conduct their affairs in a collegiate manner which encouraged a contribution from all.

RESOLVED – that that no further action be taken, for the reasons now detailed, in respect of the complaint by Richard Key against Much Hadham Parish Councillors P Taylor and I Hunt.

41 INVESTIGATION REPORT INTO COMPLAINT AGAINST FORMER PARISH COUNCILLORS BANNERMAN AND BAXTER

The Monitoring Officer submitted a report following a formal investigation on a complaint alleging that (former) Parish Councillors S Bannerman and A Baxter had breached the Council's Code of Conduct.

The Monitoring Officer confirmed that, having considered the investigation report and having consulted with the Independent Person, the Monitoring Officer had concluded that it was not in the public interest to take any further action in relation to the matter.

The Monitoring Officer referred to the fact that one of the former Councillors was standing again in the forthcoming by-election in May 2016 and that it was important that her name should be cleared.

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

The Sub-Committee agreed that it was not in the public interest to take any further action and supported the suggestion that the documents be made available on the public website but that specific redactions should remain in place.

RESOLVED – that no further action be taken in relation to complaints made against former Much Hadham Parish Councillors S Bannerman and A Baxter.

The meeting closed at 1.05 pm

Chairman
Date