

MINUTES OF A MEETING OF THE
STANDARDS SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 10
SEPTEMBER 2015, AT 2.30 PM

PRESENT: Councillor B Deering (Chairman).
Councillors A Alder and C Woodward.

ALSO PRESENT:

Councillors K Crofton, P Moore and
R Standley.

OFFICERS IN ATTENDANCE:

Jeff Hughes - Monitoring Officer

ALSO IN ATTENDANCE:

Philip Copland - Independent Person

11 APPOINTMENT OF CHAIRMAN

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

12 MINUTES

RESOLVED – that the Minutes of the meeting of the
Standards Sub-Committee held on 30 June 2015 be
confirmed as a correct record and signed by the
Chairman.

13 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 14 and

15 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 at Minutes 14 and 15 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 at Minutes 14 and 15 below and the associated reports be made publically available.

14 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR D ANDREWS

The Sub-Committee considered a report by the Monitoring Officer on eight complaints against Councillor D Andrews alleging that he had breached the Authority's Code of Conduct.

The Sub-Committee noted the detail of each complaint and the evidence (and supplementary evidence where) 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.

In respect of seven of the eight complaints, the Sub-

Committee, after careful consideration and based on the complaints assessment criteria and the evidence submitted (and having reviewed the webcast of the meeting identified) agreed that no further action be taken.

The Sub-Committee made the determinations to take no action following consultation with the Independent Person and for the following reasons:

- (1) in relation to the allegation that the councillor was in collusion with those making the application and/or that he had an interest, as supported by the assertion that a speaker referred to the Chairman as “Dave”, Members only heard the name “David” once and this was articulated by a proponent. It was not repeated. In these circumstances it was not considered necessary for the Chairman to have intervened to request the use of an appropriate title;
- (2) there was no evidence on the webcast to support the allegation that the Committee Chairman and proponent were chatting like old friends;
- (3) with regard to the change in the running order of agenda items, the Committee Chairman had acknowledged the impact this might have on objectors’ representations and had invited the Committee to make due allowance. The objectors’ representative was dealt with as fairly as possible;
- (4) the Committee Chairman had exercised a second (casting) vote in respect of the second application – the vote was in favour of granting planning permission and supported the officer recommendation. There was no convention that required the Chairman in the circumstances pertaining to this application to vote in a contrary manner;
- (5) the remarks made by the Committee Chairman after the decisions on the applications were noted by the Sub-Committee having reviewed the webcast. The

remarks were not considered to be inappropriate, rather they were polite, courteous and neutral in nature, and

- (6) with regard to the manner in which the applications were summed up, the webcast did not show any basis to criticise the Chairman on this aspect.

In relation to the complaint that formed Essential Reference Paper 'F' to the report, the Sub-Committee agreed to request the Monitoring Officer to obtain information on any connection between Councillor Andrews and Riversmead Housing Association. In so doing, it agreed to defer consideration of this complaint.

RESOLVED – that (A) in relation to the complaints that form Essential Reference Papers 'A' to 'E' and 'G' and 'H' to the report now submitted by the Monitoring Officer, no further action be taken for the reasons now detailed; and

(B) consideration of the complaint at Essential Reference Paper 'F' to the Monitoring Officer's report be deferred to a future meeting to allow that Officer to obtain information on any connection between Councillor Andrews and Riversmead Housing Association.

15 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 District Councillor K Crofton had breached the Council's Code of Conduct (Minute 7 refers).

The Sub-Committee had agreed that consideration of the complaint be deferred to allow the Monitoring Officer to invite the complainant to particularise an element of their allegation. The complainant was requested to particularise their

“...previous relationship (with Councillor Crofton) and that which he has had with an immediate family member...” in order for the Sub-Committee to form a view on its relevance to the complaint.

The Sub-Committee noted the information provided by the complainant in response to the Sub-Committee’s request. It also noted the complainant’s request for it to view the webcast of the relevant Development Management Committee meeting.

The Sub-Committee agreed to defer consideration of the complaint to a future meeting in order for the Monitoring Officer to obtain Councillor Crofton’s comments on the information now provided by the complainant. In particular, the Sub-Committee considered that Councillor Crofton should be afforded an opportunity to comment on the complainant’s assertions regarding his membership of the Standards Sub-Committee that had considered code of conduct complaints against the complainant (when a District Councillor) that had led to a decision being taken that they should be investigated.

RESOLVED – that consideration of the code of conduct complaint against Councillor Crofton be deferred to a future meeting to afford the subject an opportunity to comment on the complainant’s submitted further information and in particular the aspect now detailed regarding the subject’s role in a previous decision of the Standards Sub-Committee.

The meeting closed at 5.45 pm

Chairman
Date