

MINUTES OF A MEETING OF THE
STANDARDS SUB-COMMITTEE HELD IN
THE ROOM 27, WALLFIELDS, HERTFORD
ON THURSDAY 28 JANUARY 2016, AT
7.00 PM

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

ALSO PRESENT:

Councillors A Alder and J Cartwright.

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic and Legal Support Services
George Robertson	- Legal Services Manager

ALSO IN ATTENDANCE:

Philip Copland - Independent Person

23 APPOINTMENT OF CHAIRMAN

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

24 CHAIRMAN'S ANNOUNCEMENTS

With the consent of the Sub-Committee, the Chairman
advised that item 10 of the agenda – complaint in respect of
District Councillor J Cartwright – would be considered before
agenda item 8.

25 MINUTES

RESOLVED – that the Minutes of the meeting of the Standards Sub-Committee held on 24 November 2015 be confirmed as a correct record and signed by the Chairman.

26 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 at Minutes 27 to 29 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 27 to 29 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 27 to 29 below and the associated reports be made publically available.

27 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT

The Monitoring Officer submitted a report on the complaint alleging that Councillor James Cartwright had breached the Authority's Code of Conduct.

He reminded the Sub-Committee that, at its meeting held on 24 November 2015, it had agreed that the allegation be referred to the Monitoring Officer for investigation (Minute 19 refers).

The Monitoring Officer drew Members' attention to the report by the Investigating Officer on the allegation at Essential Reference Paper 'C'. The Investigating Officer had concluded that there had been a breach of the Authority's Code of Conduct by Councillor Cartwright.

In accordance with the approved complaints process, the Investigating Officer's report was submitted to the Sub-Committee for it to conduct a hearing. The Sub-Committee would then determine whether Councillor Cartwright had breached the Authority's Code of Conduct and, if so, what action, if any, should be taken.

The Chairman outlined the hearing procedure.

The Monitoring Officer reminded the Sub-Committee that the Investigating Officer had concluded that Councillor Carwright's comments on his twitter account referring to a number of individuals as "thick" and "illiterate" had breached the code as he had failed to treat the individuals concerned with respect.

The hearing procedure was duly followed.

The Sub-Committee endorsed the Investigating Officer's view that Councillor J Cartwright had breached the Authority's Code of Conduct in that he had "...failed to treat people with respect". The Sub-Committee agreed that a letter be sent to Councillor Cartwright confirming that he had breached the Authority's Code of Conduct in terms of failing to treat people with respect by referring to a number of them on his twitter account as "thick" and "illiterate". The Sub-Committee also determined that:

- Council be invited to pass a formal motion of censure against Councillor Cartwright, and
- Councillor Cartwright be required to attend social media training provided by the Authority within one month of the date of the Standards Sub-Committee meeting (i.e. by 28 February 2016) and that should he fail to do so the Council's Conservative Political Group, of which he was a member, be requested to remove

him from any seats to which he had been appointed to on committees in accordance with the wishes of that political group until such time as the required training had been satisfactorily concluded.

RESOLVED – that in relation to the complaint now detailed that the District Councillor concerned had breached the Authority’s Code of Conduct:

- (A) Council be invited to pass a formal motion of censure against Councillor Cartwright, and
- (B) Councillor Cartwright be required to attend social media training provided by the Authority within one month of the date of the Standards Sub-Committee meeting (i.e. by 28 February 2016) and that should he fail to do so the Council’s Conservative Political Group, of which he is a member, be requested to remove him from any seats to which he had been appointed to on committees in accordance with the wishes of that political group until such time as the required training had been satisfactorily concluded.

28 COMPLAINT IN RESPECT OF BRICKENDON LIBERTY PARISH COUNCILLORS KOTTING AND LAMBIE

The Sub-Committee considered a report by the Monitoring Officer on a complaint received alleging that Brickendon Liberty Parish Councillors J Lambie and L Kotting had breached their Authority’s Code of Conduct.

The Monitoring Officer tabled a copy of Brickendon Liberty Parish Council’s Code of Conduct.

The Sub-Committee noted the detail of the complaint and the evidence provided by the complainant in support of their 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 Mr A McNeece against Parish Councillors J Lambie and L Kotting, 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 supporting evidence, namely the (full) content of an 'e'-mail message from Parish Councillor Lambie to the complainant dated 24 March 2015 and a letter from the Parish Clerk to the Chairman of the Hertford and Stortford Conservative Association dated 20 March 2015, did not support the allegation of a breach of Brickendon Liberty Parish Council's code of conduct by these members. The 'e'-mail communication in its entirety was considered to be balanced and the author was reasonably entitled to question the motive of a potential candidate seeking election to the Parish Council. The letter was from the Clerk to the Parish Council. As an officer, that person was not subject to the provisions of their Authority's Code of Conduct.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint made by Mr A McNeece against Brickendon Liberty Parish Councillors J Lambie and L Kotting.

29 COMPLAINT IN RESPECT OF (FORMER) MUCH HADHAM PARISH COUNCILLORS BANNERMAN, BAXTER AND KEY

The Sub-Committee considered a report by the Monitoring Officer on a complaint received alleging that Much Hadham Parish Councillors S Bannerman, A Baxter and R Key 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 the complaint and the evidence provided by the complainant in support of their allegation.

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

The Sub-Committee noted that all three of the individuals the subject of the complaint had resigned from their offices.

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 Mr N Clarke against (former) Parish Councillors S Bannerman, A Baxter and R Key, in consultation with the Independent Person and taking into account the Council's assessment criteria, no further action be taken as the individuals concerned were no longer members of Much Hadham Parish Council. In reaching this determination, the Standards Sub-Committee expressed a view that organisations such as Much Hadham Parish Council and the management committees of the Much Hadham Village Hall and Sports Pavilion should have a clear understanding of their status and roles in order to endeavour to interact in a constructive and productive manner. If they needed guidance they were welcome to contact the Monitoring Officer to provide whatever assistance possible to achieve the suggested relationship now identified.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint by Mr N Clarke against (former) Parish Councillors S

Bannerman, A Baxter and R Key.

The meeting closed at 8.50 pm

Chairman
Date