

MINUTES OF A MEETING OF THE  
STANDARDS SUB-COMMITTEE HELD IN  
THE COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 30 JANUARY  
2019, AT 10.00 AM

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PRESENT: Councillor B Deering (Chairman)  
Councillors P Boylan and T Stowe

ALSO PRESENT:

Councillors D Andrews and R Standley

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Alison Stuart	- Head of Legal and Democratic Services
Alex Oram	- Investigator

ALSO IN ATTENDANCE:

Nicholas Moss	- Independent Person
Alex Oram	- Investigator
Mick Standley	- Representing former Town Councillor J Taylor
Jeanette Taylor	- Former Ware Town Councillor
Yvette Taylor	- Daughter of former Town Councillor J Taylor

6      APPOINTMENT OF CHAIRMAN

It was proposed by Councillor P Boylan and seconded by Councillor T Stowe that Councillor B Deering be appointed Chairman of the Standards Sub-Committee for the meeting.

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

7      MINUTES - 26 JUNE 2018

Councillor P Boylan proposed and Councillor T Stowe seconded, a motion that the Minutes of the meeting held on 26 June 2018 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 26 June 2018, be confirmed as a correct record and signed by the Chairman.

8      EXCLUSION OF THE PRESS AND PUBLIC

Mr Mick Standley, representing former Ware Town Councillor J Taylor, made a formal application for this Standards Sub-Committee meeting to be adjourned. He summarised the reasons for requesting an adjournment and made an allegation of bullying against the Monitoring Officer. He commented on the differences between the versions of the investigator's report and the difficulties in cross referencing.

The Monitoring Officer refuted absolutely the suggestion of bullying and emphasised that this went against her personal and professional standards. She referred in detail to her email correspondence with Mr Standley.

The Sub-Committee Members left the room with the Monitoring Officer, the Democratic Services Officer and the Independent Person to consider the request for an adjournment. Following this, they returned and the Chairman announced that the Sub-Committee meeting would continue on the basis that all parties were present and had the relevant documents including the investigator's report. The Chairman stated that all parties had had ample time to prepare a response.

The Chairman further stated that he was not aware of any material differences between the versions of the reports that had been made available prior to this Sub-Committee hearing. He also emphasised that he was not aware of any inappropriate behaviour of bullying on the part of the Monitoring Officer. He believed that the conduct of the Monitoring Officer had been entirely appropriate and the matter had been dealt with by her in an exemplary fashion.

Mr Standley raised a point of order in that he believed that former Ware Town Councillor Taylor's daughter should be allowed to stay in the meeting should the press and public be excluded. Councillor D Andrews raised a point of order on the basis that as a Member of East Herts Council he could attend any meeting of the Authority conducting any business. The

Monitoring Officer stated that it was not cited in the Constitution that any Member could attend any meeting.

The Chairman advised that, if the press and public were excluded, then witnesses would have to leave after addressing the Sub-Committee. All present were reminded that this meeting was a Standards Sub-Committee, hearing tasked with investigating code of conduct matters.

Councillor P Boylan proposed and Councillor T Stowe seconded, a motion that, pursuant to Section 100 (A) (4) of the Local Government Act 1972 as amended, the press and public be excluded during consideration of the business referred to in Minute 9, on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 7 of Part 1 of Schedule 12A of the said Act.

The Monitoring Officer emphasised that the release of an individual's name by Mr Standley before the exclusion of the press and public was not condoned by East Herts Council.

RESOLVED – that pursuant to Section 100 (A) (4) of the Local Government Act 1972, as amended, the press and public be excluded during consideration of the business referred to in Minute 9, on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 7 of Part 1 of Schedule 12A of the said Act.

At this point, Councillor D Andrews, the press and the witnesses left the Council Chamber.

9 COMPLAINT OF FAILURE TO OBSERVE THE CODE OF CONDUCT - FORMER WARE TOWN COUNCILLOR JEANETTE TAYLOR

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The Chairman outlined the procedure to be followed and everyone present was introduced. The procedure had been included in the Agenda circulated in advance of the meeting. Mr Standley read out an email from Councillor M Pope. He commented on whether the complaints against former Ware Town Councillor J Taylor by the complainant had been made in a private capacity or as the Clerk or Officer of Ware Town Council.

Former Ware Town Councillor Taylor outlined the events that had resulted in the complaint that she had failed to observe the Ware Town Council's code of conduct. She stated that an element of the complaint was that she had acted in her capacity as a Councillor when making the arrangements for her late husband's funeral. She refuted this and stated she did not go to meetings about the wake as a Councillor.

The Chairman reminded those present that the matter for the Sub-Committee to consider was whether there had been a breach of the Ware Town Council code of conduct. Former Ware Town Councillor Taylor questioned whether some elements of the matters detailed in the report and evidence were Standards matters that fell outside the jurisdiction of the Sub-Committee.

Former Ware Town Councillor Taylor emphasised that she had sought to book her late husband's funeral as a member of the public. The investigator referred to the initial draft of his report in the Agenda and the final version issued by him on 23<sup>rd</sup> January 2017. He emphasised that there were 2 elements to the complaint and he stated that he had no problem referring to any of the matters detailed in both reports.

The Investigator stated that the 2 elements concerned (a) the arrangements for the funeral and wake and (b) the manner in which the dissatisfaction with elements of these events was pursued. He referred to the matter of whether former Ware Town Councillor Taylor had been acting in her official capacity or as a private individual. He referred the Sub-Committee to the findings of fact detailed in his report.

Former Ware Town Councillor Taylor referenced her service as a Councillor and stated that there was no evidence she had sought benefit for herself due to her involvement in Council business.

The Investigator referred to a number of emails included with his report. He believed that former Ware Town Councillor Taylor's dissatisfaction with how the response to her son's complaint was being handled had led to a conflict in terms whether she was a Town Councillor acting in the public interest or a Town Councillor seeking to gain advantage.

The Investigator stressed the importance of the onus being on Members to ensure that people were always

aware of which hat they were wearing when interacting with people. He commented on the suggestion that former Ware Town Councillor Taylor had used her position to pursue the complaint and gain advantage. He also commented on the allegation she had used her position to add items onto meeting Agenda.

The Investigator emphasised that former Ware Town Councillor Taylor might have felt she had a duty to rectify matters for the benefit of the public based on her experience. She should not seek to be involved in such matters for her own gain as this would constitute a failure to comply with the code of conduct.

The Investigator confirmed to the Chairman that he had spoken to several witnesses and they had all been willing to engage with him. He referred to the differing accounts he had received and stated that he had no reason to believe that there were any nefarious reasons for the complaint.

The Investigator explained that he had not identified any evidence of bullying by former Ware Town Councillor Taylor. He was however aware that there appeared to be significant issues at Ware Town Council in terms of the relationship between Members and Officers.

The Investigator emphasised that Officers felt pressured to be sympathetic towards the position of former Ware Town Councillor Taylor pursuing her son's complaint, regardless of how she acted towards them and this could be seen as an abuse of her

position as a Councillor.

Following a question from former Ware Town Councillor Taylor in respect of her evidence and the evidence of Mrs Rowlinson, the investigator stated that the evidence of Mrs Rowlinson related to whether she had felt pressured to permit free use of the conservatory in addition to Fletchers Lea.

The Investigator stated that the lines had been blurred in terms of whether former Ware Town Councillor Taylor's involvement with the funeral had been in her capacity as a member of the public or as a Member of Ware Town Council. Former Ware Town Councillor Taylor detailed the timeline of the complaint initiated by her son on Monday 5 October 2015 following her late husband's funeral on 2 October 2015. She stated that she had felt compelled to get involved as there had been no response to his complaint in 6 weeks.

The Investigator commented on the governance arrangements in place at Ware Town Council. Former Ware Town Councillor Taylor emphasised that she believed she had never been rude on the phone to Officers or to anyone.

Mr Standley put a number of questions to Mrs Standley as a witness. She answered a number of questions in respect of her involvement with former Ware Town Councillor Taylor when the funeral arrangements were being made. She confirmed that former Ware Town Councillor Taylor had not been aggressive in her approach and had been very upset at the time.

Mrs Standley confirmed that former Ware Town Councillor Taylor had not said anything to suggest she should be given favourable treatment as she was a Councillor. She summarised a number of failings in the arrangements at the wake that followed the funeral in October 2015. She also answered a number of questions in respect of Ware Priory Trading.

Councillor P Boylan commented on the complaints policy of Ware Town Council and whether this was for general Ware Town Council matters and not specifically for matters concerning Ware Priory Trading. He also commented on what were the next steps should a complainant be unsatisfied with the response they had received.

Mr Standley put a number of questions to the daughter of former Ware Town Councillor Taylor in respect of the circumstances surrounding the events that led up to and followed the funeral. The former Ware Town Councillor Taylor's daughter confirmed that the funeral had been a private wake and emphasised that the suggestion that this was a Town Council event was absurd. She expressed concerns about the sub-standard service at the wake and she detailed a number of problems with the catering.

In response to a question from Mr Standley as to why former Ware Town Councillor Taylor had chased up the complaint, her daughter confirmed that she believed former Ware Town Councillor Taylor had chased the complaint in an effort to protect her children rather than seeking to abuse her position.

Councillor P Boylan referred to the suggestion from the Investigator that a review of governance at Ware Town Council should be carried out. He commented on why this had not taken place. Mrs Rowlinson stated that this matter had been reported to the Finance Committee at Ware Town Council and this had been rejected on the grounds of cost.

Councillor P Boylan questioned former Ware Town Councillor Taylor as to why she had used her Hertfordshire County Council email on a number of occasions to deal with personal matters. Former Ware Town Councillor Taylor acknowledged that she had used her County Council email for sending personal emails signed as Jeanette Taylor and she apologised for this.

Mrs Rowlinson stated that Ware Town Council emails to Members were forwarded to an East Herts Council or Hertfordshire County Council email if a Member had no private email address.

Mr Standley made a number of points in reference to the documents submitted by the investigator regarding the case against former Ware Town Councillor Taylor. The Chairman reiterated that stories that had appeared in the press were not the subject of this Sub-Committee hearing. Former Ware Town Councillor Taylor commented on the issue of adverse media coverage. The Investigator emphasised his view that, following his investigations, it was his opinion that the code of conduct had been breached and the evidence merited formal action.

All of the parties present at the Sub-Committee meeting summarised their submissions. The Sub-Committee retired with the Monitoring Officer, the Independent Person and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced that that the Sub-Committee had not been able to conclude its consideration of the complaints in the time available. The Chair stated that a decision would be reached as soon as possible and all parties would be advised of this decision, which would be issued in the public domain.

RESOLVED – that (A) the Sub-Committee had not been able to conclude its consideration of the complaints in the time available;

(B) a decision would be issued as soon as possible and all parties would be advised of this decision, which would be issued in the public domain.

The meeting closed at 6.15 pm

Chairman .....

Date .....