

Present

Councillor Mrs B S Fortune
B Griffiths

Councillor J N Smith

Independent Person

Mr B Ferguson

Parish Council Representative

Mrs J Crampton

SHP.14

CHAIRMAN

THE DECISION:

That Councillor J N Smith be elected Chairman for duration of the meeting.

(Councillor J N Smith in the Chair)

SHP.15

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no SHP.16 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

SHP.16

ALLEGATION ABOUT A PARISH COUNCIL MEMBER

The subject of the decision:

The Monitoring Officer presented a report about allegations that a Parish Councillor failed to comply with the provisions of the Parish Council's Code of Member Conduct.

The Panel heard from some of those who had made the allegations and the Councillor against whom the allegations had been made.

Alternative options considered:

None.

The reason for the decision:

Having considered the Monitoring Officer's report, the accompanying documents, the representations of those making the allegations and the representations of the Parish Councillor the Panel's findings were as follows:-

- (1) The Panel noted that there appeared to be a poor relationship between the Councillor and the rest of the Parish Council and differences of opinion about the legality of actions and procedural matters.
- (2) The Panel was satisfied that a Parish Councillor was entitled to question the actions of a Parish Council and other Councillors and there was no requirement on a Councillor to agree with the Parish Council's position. Nevertheless there was an obligation to act reasonably and not to be excessively disruptive or obstructive.
- (3) In respect of the actual allegations, the Panel was satisfied that the manner in which the Councillor had suggested there had been an illegality and had suggested that there could be impropriety in ordering grit (the language used and forcefulness of delivery), went beyond what was reasonable and this amounted to showing a lack of respect to other Councillors.
- (4) Although the Panel accepted that the Councillor's robust repetition of assertions and forcefulness might be annoying and upsetting to some of those making allegations it did not think that it was sufficient to be intimidation for the purposes of the Code of Conduct.
- (5) However, the Panel felt that the repetitious and forceful nature of the Councillor's arguments and criticisms did mean that he had been unnecessarily disruptive at the meeting. The Panel was satisfied that this behaviour would lower the reputation of the Council and the office of Councillor in the eyes of a reasonable observer and was therefore a breach of the Code of Conduct.
- (6) The Panel felt that the Parish Council should consider seeking external assistance to address the relationship issues referred to. It also felt that the Councillor should be offered training on how to behave at meetings.

THE DECISION:

That:-

- (1) the Councillor had breached the Code of Conduct by being disrespectful and bringing the office of Councillor and the Council into disrepute and that he be censured;
- (2) the Parish Council consider obtaining external assistance to resolve any relationship issues within the Council; and
- (3) the Parish Council offer the Councillor training on how to behave at meetings in future.

The meeting closed at 12.30pm.

Chairman of the Panel