WILTSHIRE COUNCIL

STANDARDS COMMITTEE

24 NOVEMBER 2010

Outcome of Standards Consideration Sub-Committee

Purpose of Report

1.	To report the outcome of the Standards Consideration Sub-Committee which was held on 7 September 2010 to consider an allegation of a breach of the Code of Conduct for Members.

Background

2.	On 3 November 2009 the Monitoring Officer of Wiltshire Council received a complaint from Mr Bruce Evans regarding the alleged conduct of Councillor Stephen Andrews, a member of Westbury Town Council. It was alleged that Councillor Andrews had behaved in such a manner as to bring his office or authority into disrepute and had failed to treat others with respect. Mr Evans alleged that at a meeting of Westbury Town Council on 2 November 2009 Councillor Andrews launched a confrontational and hysterical verbal attack on him, accusing him of threatening behaviour at a previous meeting and of adopting Colonel Gaddafi as a role model.

3.	On 1 December 2009 the Standards Assessment Sub-Committee of Wiltshire Council considered the complaint regarding Councillor Andrews. In accordance with section 57A(2) of the Local Government Act 2000 the Assessment Sub-Committee decided to take no further action.

4.	On 16 December 2009 Mr Evans requested a review of the Assessment Sub-Committee's decision, in accordance with Section 57B of the Local Government Act 2000, as amended.

5.	On 3 February 2010 the Standards Review Sub-Committee considered the request for review and decided, in accordance with Section 57A(2) of the Local Government Act 2000, to refer the complaint to the Monitoring Officer for investigation. They considered that if proven, the behaviour giving rise to the complaint may be capable of breaching the following paragraphs of the Code:

> *3(1) – You must treat others with respect*
>
> *5 – You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute*

6.   The Monitoring Officer delegated his investigatory powers to Mrs Marie Lindsay, Ethical Governance Officer, pursuant to section 82A of the Local Government Act 2000. The Investigator's report found that there had been no breach of the Code of Conduct.

7.   On 7 September 2010 the Investigator's report went before the Standards Consideration Sub-Committee. The Sub-Committee considered the alleged breach of paragraphs 3(1) and 5 of the Code of Conduct and accepted the Investigating Officer's finding of no breach. The minutes of the meeting, together with the decision notice, are attached at **Appendix A.**

8.   The Chairman and members of the Sub-Committee may wish to comment on the hearing orally at the meeting.

Main considerations for the Committee

9.   The Standards Committee has set a target time of 6 months from the Assessment Sub-Committee's referral of a complaint for investigation to the completion of the investigation and issuing of a final report. In this case, the complaint was referred for investigation on 3 February 2010 and the final report was completed on 12 August 2010, 9 days over the 6 month deadline.

10.   The Standards Committee has set a target time of 3 months from the issuing of the final report to a Determination Sub-Committee hearing. The Investigator issued her report on 12 August 2010 and the Consideration Sub-Committee met on 7 September 2010. A Determination Sub-Committee hearing was not required, however the Consideration Sub-Committee did meet well within the 3 month deadline.

Proposals

11.   The Standards Committee is asked to note the outcome of this matter.

Training and Communications Issues Arising

12.   There are no general training or communications issues arising from the proposals made in this report that would require the formation of a task and finish group of the Standards Committee.

Risks

13.   There are no risks associated with the proposals made in this report.

Ian Gibbons
Monitoring Officer

Report Author: Marie Lindsay – Ethical Governance Officer

The following unpublished documents have been relied on in the preparation of this report: None