

## **DECISION NOTICE: NO BREACH**

**Reference WC 42/09**

**Subject Member**  
Councillor Stephen Andrews

**Complainant**  
Mr Bruce Evans

**Consideration Sub-Committee Membership**  
Mr Gerry Robson OBE, Chairman (Independent)  
Councillor John Scragg (Town Councillor)  
Councillor Nigel Carter (Wiltshire Council)

**Monitoring Officer**  
Ian Gibbons

**Investigating Officer**  
Marie Lindsay

**Clerk**  
Anna Thurman

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### **Complaint**

On 3 November 2009 the Monitoring Officer of Wiltshire Council received a complaint from Mr Bruce Evans regarding the alleged conduct of Stephen Andrews, a member of Westbury Town Council.

The complaint concerns allegations that at a meeting of Westbury Town Council on 2 November 2009 Councillor Andrews launched a confrontational and hysterical verbal attack on the complainant, accusing him of threatening behaviour at a previous meeting and of adopting Colonel Gaddafi as a role model.

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, as amended, the Assessment Sub-Committee decided to take no further action.

On 16 December 2009 Mr Evans requested a review of the Assessment Sub-Committee's decision.

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, that the complaint should be referred 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.*

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 not been any breach of paragraphs 3(1) or 5 of the Code of Conduct.

## **Decision**

Having carefully considered the Investigating Officer's report and findings, in accordance with Regulation 17 of the Standards Committee (England) Regulations 2008, the Consideration Sub-Committee of the Standards Committee of Wiltshire Council decided to accept the Investigator's finding that no breach of the Code had occurred.

## **Reasons for decision**

The Sub-Committee was satisfied on the basis of the information documented in the Investigator's report that Councillor Andrews' actions did not amount to a breach of the Code of Conduct.

## **Summary of evidence considered**

The Sub-Committee considered the following:

1. The written complaint.
2. The Investigator's report, which contained evidence from witnesses who were interviewed and various documents, including extracts of minutes of meetings of the Town Council.



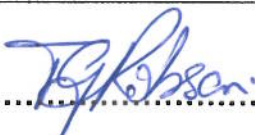
This decision notice is sent to the person making the allegation, the member against whom the allegation was made, Westbury Town Council and Standards for England.

**Additional Help**

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

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Signed .....  ..... Date ..22.9.2010..

**Chair of Consideration Sub-Committee**