

STANDARDS HEARING SUB-COMMITTEE
12 April 2010

Consideration of an Investigator's report

Complaint regarding the alleged conduct of Councillor Paul Evans –
Tidworth Town Council

1. On 23 June 2009 the Monitoring Officer of Wiltshire Council received a complaint from Councillor David Sherlock regarding the alleged conduct of Councillor Paul Evans, a member of Tidworth Town Council. The complaint is enclosed at pages 31 - 38 of the agenda, within the Investigation Report attached at **Appendix A** (page 13).
2. The complaint concerns allegations that at a meeting of Tidworth Town Council on 2 June 2009 Councillor Evans behaved in such a manner as to bring his office or authority into disrepute and failed to treat others, including the complainant, with respect. It is alleged that Councillor Evans carried out an abusive and offensive verbal tirade towards other council members in the presence of the press and public, resulting in the meeting ultimately being suspended.
3. The complainant alleges that Councillor Evans' behaviour breached paragraphs 3(1) and 5 of the Code of Conduct:
 - **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
4. Tidworth Town Council has adopted the Model Code of Conduct for Members, enclosed at pages 39 - 45 of the agenda, within the Investigation Report attached at **Appendix A** (page 13).
5. On 7 July 2009, the Standards Assessment Sub-Committee of Wiltshire Council considered the complaint regarding Councillor Evans. In accordance with section 57A(2) of the Local Government Act 2000 as amended, the Assessment Sub-Committee decided that the complaint should be referred to the Monitoring Officer for investigation.

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. A copy of the Investigator's report is attached at **Appendix A** (page 13).
7. The Investigator's report found that there **has** been a breach of paragraphs 3(1) and 5 of the Code of Conduct.
8. On 9 February 2010 the Investigator's report went before the Standards Consideration Sub-Committee. The Sub-Committee considered both alleged breaches of paragraphs 3(1) and 5 of the Code of Conduct as set out in point 3 above. The Sub-Committee agreed that the matter should be referred to a Standards Committee Hearing for determination, pursuant to paragraph 17 (1) (b) of the Standards Committee (England) Regulations 2008.
9. The minutes of the Consideration Sub-Committee's meeting of 9 February 2010 are attached at **Appendix B** (page 101).
10. The Hearing Sub-Committee is therefore required to determine whether Councillor Evans breached paragraphs 3(1) and 5 of the Code of Conduct.

Ian Gibbons, Monitoring Officer

Report Author: Marie Lindsay, Ethical Governance Officer

Tel: 01225 718465

Date of report: 25 March 2010

Background Papers

Final Investigation Report – 20 January 2010