

A2.8

6 October 2009

BR 2564 8209 1GB

Department of Resources,  
Bythesea Road,  
Trowbridge,  
Wiltshire  
BA14 8JN

PRIVATE & CONFIDENTIAL  
Councillor Paul Evans

*Also sent 1st class*

Your ref:  
Our ref: MLWC24/09

BY RECORDED DELIVERY

Dear Councillor Evans

**Ref: Code of Conduct Complaint**

I refer to my letters dated 4<sup>th</sup> August, 13<sup>th</sup> August and 28<sup>th</sup> September 2009 concerning the allegation that you have or may have failed to comply with your authority's Code of Conduct.

To date I have not received any correspondence from you concerning the complaint and you have not provided me with any dates that you would be unavailable to attend an interview.

I have now spoken to the other parties involved in the complaint and I am almost ready to conclude my investigation, however I do need to obtain your views on the allegation made. The most satisfactory way of doing this would be by way of a face to face interview however if you would find this difficult I would be prepared to accept a written statement from you. As you aware, the allegation centres around the meeting of Tidworth Town Council on 2 June 2009 and the broad issues that I would like to address with you, through an interview or a written statement, are as follows:

- What prompted the heated discussion referred to in the minutes of the meeting and to which you are alleged to have contributed in such a manner as to bring your office or authority into disrepute and failed to treat others with respect?
- What was said by you at the meeting that has given rise to the allegations made?
- In what context were your comments made?
- Are there any witnesses to the event?
- What was the effect of your alleged behaviour on the meeting and those present?

Please could you provide me with a possible date for interview or a written statement by no later than Monday 12<sup>th</sup> October 2009. If I have not heard from you by this date I will have no alternative but to issue a draft report based on the evidence that I have gathered to date.

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I can be contacted directly on telephone number 01225 718465 or by e-mailing [marie.lindsay@wiltshire.gov.uk](mailto:marie.lindsay@wiltshire.gov.uk).

Yours sincerely

Marie Lindsay  
Ethical Governance Officer

Direct Line: 01225 718465  
Fax Number: 01225 718399  
Email: [marie.lindsay@wiltshire.gov.uk](mailto:marie.lindsay@wiltshire.gov.uk)



INVESTOR IN PEOPLE



A2.9

TELEPHONE/ATTENDANCE NOTE

File: Cllr Evans Ref 24/09 Date 22/10/09

Call From: Cllr Paul Evans

Call To: Maïne Lindsay

Cllr Evans called to say that he has received my letters and apologises for not getting back to me but he has been away.

He is now available for an interview with regard to the complaint.

Appointment made for Thursday 5th November at 10.30 am.

I advised him that I would be attending with my colleague Roger Wiltshire.

M. Lindsay





1. Record of interview conducted by Marie Lindsay with Councillor P Evans of Tidworth Town Council.
2. Councillor Evans confirmed that he has been a member of Tidworth Town Council for approximately 2 years and he has previously served on the Heritage and Strategy Committees.
3. Councillor Evans was present at the Tidworth Town Council meeting on 5<sup>th</sup> May 2009 when the elections for Chairman and Vice-Chairman took place. He explained that the election was held by secret vote and that one councillor spoilt her ballot paper. The Clerk was aware of the spoilt ballot paper and gave it back to the councillor in question. She then wrote down the names of the two candidates on a separate piece of paper and guided the councillor who had spoilt her paper on how to vote. The votes were then counted and the result was a tie. The outgoing Chairman, Councillor Dagger, then had a second vote and was elected as Chairman.
4. Councillor Evans explained that he believes that openness, fairness, honesty and transparency is paramount in elections and he was very unhappy with the way the vote had been handled. He does not believe that the spoilt ballot paper should have been handed back and guidance given about completing it again. Neither does he believe that it is right for the outgoing Chairman to effectively have two votes.
5. Councillor Evans explained that a number of councillors were unhappy with the way the election had been handled however concern was not raised until after the meeting on 5<sup>th</sup> May had closed. A number of discussions took place between the meeting on 5<sup>th</sup> May and the next meeting on 2<sup>nd</sup> June and a lot of dissent was expressed. Councillor Evans himself had a conversation with the Chairman, Councillor Dagger, who told him that if it was decided that a new vote was required then he would be happy to stand again.
6. Councillor Evans was dissatisfied that a separate item about the election was not added to the agenda for the meeting on 2<sup>nd</sup> June. He states that Councillor Franklin raised the issue under matters arising from the previous minutes and that Councillor Connolly also raised a couple of small points about the process. Councillor Evans himself joined in the debate as he wished to express his view that the vote was wrong and the void ballot paper should have been discarded and not counted. He made it clear that he wanted the minutes of the last meeting to say that the election had been a 'farce'. He recalls that he may well have said that the Council was a waste of time and a shambles as alleged in the complaint. He acknowledges that 'he did push things to its limit' and that his behaviour was 'quite forceful' and 'fiery'.
7. Councillor Evans goes on to say that the Chairman did ask him to be quiet to which he replied 'don't try to shut me up'. He states that the Chairman also asked Councillor Franklin to shut up.



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8. Councillor Evans was annoyed that the Chairman had sought advice about the election outside of a formal meeting and had not consulted with any other members of the Council prior to seeking this advice. Councillor Evans had not seen the letter addressed to the Wiltshire Association of Local Councils or the response received. He was concerned that the position stated by the Chairman was one sided and did not necessarily reflect the views of all members of the Council.
9. Councillor Evans states that he was also concerned that members of the Council were being 'walked over' as a result of the Chairman trying to prevent the issue from being discussed.
10. Councillor Evans recalls that it was Councillor Connolly who suggested a short adjournment in order, he believes, 'to save my embarrassment'. He confirms that Lt Col Carmen left the meeting, probably as a result of the altercation that had taken place. Councillor Evans' view is that the altercation and discussions would not have come as a shock to any member of the Council as there had been a lot of dissent expressed prior to the meeting. Lt Col Carmen, however, would not have been expecting such an altercation to take place and it was not what he was at the meeting for.
11. Prior to the meeting being suspended Councillor Evans confirms that he spoke directly to Councillor Wildman, telling him that he hardly ever attended council meetings, that he only turned up 2 or 3 times per year and that he wasn't at the meeting on 5<sup>th</sup> June when the elections took place. Councillor Evans says that he is not disputing that Councillor Wildman does good work for Tidworth but he was making a point that Councillor Wildman hardly ever attends Council meetings.
12. During the adjournment Councillor Evans went over to the kitchen and was standing at the serving hatch with Councillor Miles. Councillor Evans states that Councillor Sherlock came over and stood at the other side of the hatch in the main hall. He goes on to say that Councillor Sherlock said to him 'What the f\*\*k have you ever done for Tidworth. As for your Tidworth Rocx festival you're only there for yourself'. An exchange then occurred during which Councillor Evans told Councillor Sherlock 'What do you know, you have only been here for a couple of months. You've no idea what I've done, piss off and sling your hook'. Councillor Evans confirms that he was livid at the time having been sworn at by Councillor Sherlock and accused of not having done anything for Tidworth.
13. Councillor Evans understands that Councillor Lomas heard raised voices and the end of the exchange with Councillor Sherlock when Councillor Evans told him to 'Piss Off'. This is what prompted the threat of citizen's arrest by Councillor Lomas. Councillor Evans states that Councillor Miles was a witness to the whole exchange between himself and Councillor Sherlock and would have heard Councillor Sherlock swearing at him.



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14. Councillor Evans confirms that after the 10 minute adjournment he took his place again at the table and the meeting resumed.
15. Councillor Evans states that he does a lot of work for the benefit of Tidworth including the staging and promotion of the annual Tidworth Rocx festival. He also produces the Tidworth Council magazine with very little support from other members of the Council. His only interest in Council matters is for the benefit of the people of Tidworth and on 2<sup>nd</sup> June he was unhappy that the agenda was driven by events that had occurred outside formal meetings. He wanted things to be done the right way, in an open and transparent manner.
16. Councillor Evans refers to the minutes of the meeting on 5<sup>th</sup> May which were subsequently amended to remove the reference to the threat of citizen's arrest. He considers that the reference in the minutes to Councillor Evans 'causing embarrassment to the Council' should also have been removed. He says that embarrassment is a personal issue and not necessarily one shared by the whole council. A vote was taken as to whether to remove this line from the minutes and only 7 members of the Council raised their hands to indicate that they felt embarrassed by the incident. The minutes were not amended.
17. Councillor Evans confirmed that the report of the meeting in the Andover Advertiser on 5<sup>th</sup> June is correct. In his view the coverage of the meeting was good news as it brought a much needed shake up in the Council and as a result members have begun to 'watch what they are saying'.
18. Councillor Evans confirms that he does have difficulty receiving his post and that some letters do go astray as there is another number 53 just around the corner on the next road.

9<sup>th</sup> November 2009

This is a note of the interview conducted by Mrs Marie Lindsay with Councillor P Evans at his home address at 10.30am on Thursday 5<sup>th</sup> November 2009. Councillor Evans was unaccompanied. Mrs Lindsay was accompanied by Mr Roger Wiltshire, Ethical Governance Officer.

*I confirm that I have reviewed this record and made and initialled any alterations I think are necessary and identified any errors I believe are in the record. Subject to any initialled amendments I confirm that this represents a true record of the interview.*

Signed.....

Dated.....

13<sup>th</sup> NOVEMBER 2009



## TELEPHONE/ATTENDANCE NOTE

File: WC 24/09 Cllr Evans Date 5/11/09

Call From: .....

Call To: .....

At the end of Maire Lindsay's interview with Cllr Evans, Cllr Evans said that, in his view, Cllrs Connolly, Miles and Franklin would be able to give a balanced view of events.

Under the circumstances I have decided to interview the following Councillors for the reasons stated below:

- Cllr Miles apparently witnessed the alleged swearing by Cllr Sherlock to Cllr Evans
- Cllr A Connolly. His name has cropped up during the investigation as being someone who spoke about the issue of the spoilt vote. Also, he is named by Cllr Sherlock as a possible witness to the exchange at the sewing hatch. His statement may add a balance to the investigation in the interests of Cllr Evans.

Telephone interviews requested.

M. Lindsay





1. Record of interview conducted by Marie Lindsay with Councillor A Connolly of Tidworth Town Council.
2. Councillor Connolly confirmed that he was previously Chairman of Tidworth Town Council and was also a member of the former Kennet District Council. He has 18 years experience as a Councillor.
3. Councillor Connolly explained that many members of the Council were stunned by the events that had occurred during the election of the Chairman on 5<sup>th</sup> May 2009 and the voting procedures that had taken place. There was disbelief amongst members at what had unfolded in front of them and after the meeting a number of discussions took place about the matter. Councillor Connolly's view is that the voting procedures that had been followed were wrong in principle.
4. Councillor Connolly understands that Councillor Evans asked both the Chairman and the Clerk to put the issue of the election on the agenda for the next meeting on 2<sup>nd</sup> June to allow a discussion to take place. The Clerk promised that it would be on the agenda however when the agenda was produced it was clearly not an agenda item.
5. Councillor Connolly advises that there were a number of councillors who wanted to give their opinion on the election issue. At the meeting on 2<sup>nd</sup> June 2009 the Chairman was determined not to enter into discussions and a debate ensued, most probably forced under the matters arising agenda item. Councillor Connolly himself joined in to say that in his view the Council had not got it quite right with regard to the election procedures and that they shouldn't be so lax. Councillor Evans was particularly upset as he had specifically requested an agenda item on this issue. The Chairman tried very hard to constrain him and did not allow him a fair crack of the whip. This probably made matters worse because Councillor Evans wanted to make his contribution. A number of other Councillors were 'hot under the collar' including Councillors Wildman, Sherlock, Lomas and Franklin. Councillor Connolly cannot recall the exact words spoken by Councillor Evans.
6. Councillor Connolly's view is that it is important to put Councillor Evans' behaviour into context. Tidworth Town Council members are very nice people who do not like disagreement and cut and thrust meetings. Councillor Evans is a relatively new councillor whom Councillor Connolly would describe as robust and opinionated. Over the years Councillor Connolly has witnessed more acrimonious debates than this at meetings of other town councils; where it is accepted as a right to express an opinion. On this occasion, Councillor Evans' behaviour was unreasonable only in the context of how Tidworth Town Council would normally be run but it would not be considered unreasonable by some other councils. Councillor Connolly does not consider a robust exchange of views to be a bad thing.
7. With regard to Councillor Hewitt and Lt Col Carmen's early departure from the meeting, Councillor Connolly states that Councillor Hewitt is an elderly



lady who would particularly not enjoy a robust meeting. Lt Col Carmen was at the meeting as a stand-in representative of the army and that was the only meeting he had attended. Councillor Connolly would not give any weight to the fact that he left the meeting at that point as he considers that Lt Col Carmen may have grabbed at the opportunity to leave the meeting early.

8. During the 10 minute adjournment that followed Councillor Connolly is aware that Councillor Evans went over to the kitchen area to get a cup of tea. He did not hear the exact words spoken during the exchange between Councillor Evans and Councillor Sherlock but he is aware that there was an aggressive exchange of words between them. He would say that it was a 50:50 battle of words. Councillor Lomas tried to cool things down by threatening to carry out a citizen's arrest but in Councillor Connolly's opinion Councillor Evans was not in danger of breaching the peace.
9. The meeting resumed and Councillor Connolly suggested that the meeting should be suspended. He didn't feel like carrying on under the circumstances and he could see that a few of the more elderly members had been put out by the exchange of words.
10. Councillor Connolly does not agree that the minutes of the meeting should contain the statement '..... heated discussion causing embarrassment to the council'. He says that embarrassment is an emotion and not a matter of fact and as such has no place in council minutes. He was not embarrassed by the events and considers the matter to have been within reasonable bounds. A motion at the following meeting in July to have the reference to 'embarrassment' removed from the minutes was unsuccessful. Councillor Connolly states that the Chairman and the Clerk were entrenched in their opinion that it should stay in the minutes.
11. Councillor Connolly advised that Councillor Evans is not the most popular in the village and that he is aware of an acrimonious personal relationship between Councillor Evans and Councillor Sherlock which he believes spilled over into the meeting.

**18<sup>th</sup> November 2009**

This is a note of the interview conducted over the telephone by Mrs Marie Lindsay with Councillor A Connolly at 10.30am on Wednesday 18<sup>th</sup> November 2009.

*I confirm that I have reviewed this record and made and initialled any alterations I think are necessary and identified any errors I believe are in the record. Subject to any initialled amendments I confirm that this represents a true record of the interview.*

Signed.....

Dated.....



1. Record of interview conducted by Marie Lindsay with Councillor S Miles of Tidworth Town Council.
2. Councillor Miles confirmed that he has been a member of Tidworth Town Council since 1995 and he was also a member of the former Kennet District Council from 1999 to 2009.
3. Councillor Miles explained that the events surrounding the election of the Chairman at the Tidworth Town Council meeting in May 2009 had caused animosity within the Council. At the 5<sup>th</sup> May meeting he was proposed by Councillor Evans as Vice-Chairman. However, due to the amount of animosity in the room over the way the election of the Chairman had been conducted, he felt that he would be unable to work on a professional level with the Chairman and he declined to take up the position. He was concerned with how the spoilt vote had been handled and it appeared to him that the councillor who had spoilt her ballot paper was being coached by the Chairman and the Clerk as to how to fill it in. Councillor Miles was unhappy that she had been given a second opportunity to vote, especially as she had been on the Council for many years and had voted on numerous occasions in the past.
4. Councillor Miles advised that the atmosphere at the meeting on 2<sup>nd</sup> June was tense from the beginning. He cannot remember how the debate about the election of the Chairman started but he says that pretty much everyone had something to say about the matter..
5. Councillor Miles stated that Councillor Evans began his comments by offering constructive criticism about the election but when he was asked to be quiet he got more agitated. He would not shut up and he wanted to get his point across. A heated debate ensued and tempers rose, including those of Cllr Wildman and the Chairman. The Chairman lost control of the meeting and the debate snowballed. Councillor Evans then made a comment to Councillor Wildman saying that he only attends meetings when there is something in it for him. Councillor Miles does not consider that this was a personal attack on Councillor Wildman but Councillor Evans speaking his mind and saying what he thinks.
6. The meeting was adjourned for 10 minutes. Councillor Miles' view is that most of Councillor Evan's outburst occurred during the adjournment. Councillor Miles recalls the 'f' word being uttered by Councillor Evans whilst he was still seated around the table but he thinks that this just slipped off his tongue.
7. During the adjournment Councillor Miles went over to the kitchen area to make a cup of tea and witnessed an argument between Councillor Evans and Councillor Sherlock. He heard Councillor Evans accuse Councillor Sherlock of not having done anything for the Council but he did not hear any expletives from either Councillor. In his opinion both Councillor Evans and Councillor Sherlock were being aggressive and he considers that if the serving hatch had not been between them then the situation may have



become violent. It was not just a case of what was being said but the manner in which it was being said. Councillor Miles grabbed Councillor Evans and told him to calm down. He states that there were no witnesses to the exchange at the serving hatch except for Councillor Lomas who threatened to make a citizens arrest.

8. After Councillor Connolly had put forward a motion that the meeting should be suspended Councillor Miles put forward an amended motion that it should be suspended after the consideration of two urgent items. Councillor Miles states that the atmosphere was so charged that it was difficult to concentrate.
9. Councillor Miles' view is that if the meeting had been handled properly by the Chairman then the incident would not have happened. He states that the outburst was a result of an accumulation of circumstances and personality clashes which got out of control. People were allowed to 'rant on' more than they should have been allowed to do so and the Chairman lost control of the meeting. Councillor Evans has a reputation for saying what he thinks and he can be blunt. As a result, he is not the most popular member of the Council.
10. Councillor Miles is unhappy that the minutes contain a reference to the 'heated discussion causing embarrassment to the Council'. He was not asked for his opinion about this prior to it being included in the minutes.
11. Councillor Miles confirmed that Councillor Evans has not behaved in such a manner before although he has been shouted down on more than one occasion. He considers that inexperience and a lack of training contributed to the events although this is not an excuse for the outburst. He thinks that the Council as a whole would benefit from some training on conduct as they all need to take responsibility for how the Council is run.

**30<sup>th</sup> November 2009**

This is a note of the interview conducted over the telephone by Mrs Marie Lindsay with Councillor S Miles at 3.30am on Monday 30<sup>th</sup> November 2009.

***I confirm that I have reviewed this record and made and initialled any alterations I think are necessary and identified any errors I believe are in the record. Subject to any initialled amendments I confirm that this represents a true record of the interview.***

**Signed.....**

**Dated.....**



1. Record of interview conducted by Marie Lindsay with the complainant Councillor David Sherlock.
2. Marie Lindsay explained to Councillor Sherlock that an allegation had been made that he swore at Councillor Evans during the exchange that occurred at the serving hatch at the Tidworth Town Council meeting on 2<sup>nd</sup> June. She explained that he allegedly said to Councillor Evans 'What the f\*\*k have you ever done for Tidworth. As for your Tidworth Rocx festival you're only there for yourself'.
3. Councillor Sherlock refutes the allegation of swearing completely and states that he would not say such a thing in front of colleagues, some of whom were female. He went on to say that he made no comment about the Tidworth Rocx festival and can see no reason why he would mention it.
4. Councillor Sherlock confirms that the exchange between him and Councillor Evans 'was more than shouting' but he would not consider it to be aggressive. He explained that he has a naturally deep voice and he had spoken loud enough to make his comments heard over the distance of 5 to 10 metres which separated him and Councillor Evans. He was not shouting at the top of his voice and no one approached him to ask him to be quiet or calm down.
5. Councillor Sherlock states that there is no general animosity between him and Councillor Evans. He is not a businessman and has no professional dealings with Councillor Evans. As such he has no reason to be vindictive.

7<sup>th</sup> December 2009

This is a note of the interview conducted by Mrs Marie Lindsay with Councillor David Sherlock, who was unaccompanied, at his business address at 4pm on Monday 7<sup>th</sup> December 2009.

***I confirm that I have reviewed this record and made and initialled any alterations I think are necessary and identified any errors I believe are in the record. Subject to any initialled amendments I confirm that this represents a true record of the interview.***

***Signed.....***

***Dated.....***



## TIDWORTH TOWN COUNCIL

MAY 2009

Minutes of the Annual Town Council meeting of Tidworth held on Tuesday 5<sup>th</sup> May 2009 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger, C'lr Franklin, C'lr Reid, C'lr Lomas, C'lr M. Connolly, C'lr Evans, C'lr A. Connolly, C'lr Hewitt, C'lr Birch, C'lr Hamblin, C'lr Carmichael, C'lr Jones, C'lr Hedge & C'lr Halfon. Representatives: Major Amery, Garrison HQ & Steve Dancey, press reporter. 4 Members of the Public present. C'lr Miles arrived late at 7-10pm.

**1. Election of Chairman** C'lr Carmichael nominated C'lr Dagger as Chairman, seconded by C'lr Jones. C'lr Evans nominated C'lr Franklin, seconded by C'lr Lomas, both C'lr's willing to stand. From standing orders, C'lr Birch requested the voting was by a ballot, seconded by C'lr Hewitt. After the clerk had to explain the format of voting to one councillor by writing down the names of nominated persons, the result of the ballot after counting and checking resulted in 7 votes each for both C'lr Dagger & C'lr Franklin, the out going Chairman made his casting vote, C'lr Dagger was duly elected Chairmap & he took the chair.

**2. Resolution – To continue Chairman and Vice- Chairman Status** C'lr Dagger from the Chair, proposed Tidworth Town Council should continue for another year with a Chairman & Vice-Chairman, not mayor & deputy mayor (Local Gov. Act 1972 s.245 (6)-(9), Appendix A, seconded by C'lr Jones agreed unanimously. C'lr Dagger duly signed his declaration of acceptance of office form as Chairman.

**3. Apologies** were received from C'lr O'Connell & C'lr Sherlock (holiday), C'lr Buffrey (ill) & C'lr Wildman (SWEP meeting)

**4. Election of Vice-Chairman/Deputy Mayor** C'lr Evans nominated C'lr Franklin, seconded by C'lr Lomas. C'lr Franklin declined to stand. C'lr Evans nominated C'lr Miles, seconded by C'lr Franklin no further nominations received C'lr Miles was duly elected Vice-Chairman following the above resolution.

**5. Declaration of Interest** – none received

**6. Formation of Committees** – the following members were duly elected to the following committee: -

**Finance & Management Committee** – C'lr Hedge, C'lr A. Connolly, C'lr S. Dagger, C'lr S. Miles, C'lr M. Hamblin, C'lr C. Franklin, C'lr H., Jones, & C'lr A. Birch.

**Planning Committee**- C'lr Jones, C'lr Hewitt, C'lr Sherlock, C'lr Wildman, C'lr Reid, C'lr Halfon, C'lr Dagger, C'lr Hedge, C'lr Birch, & C'lr Lomas.

**Heritage, Environment & Play Area Committee** – C'lr Carmichael, C'lr Birch, C'lr O'Connell & C'lr Franklin.

**Strategy Committee** – C'lr Dagger, C'lr Miles, C'lr Buffrey, C'lr Hamblin, C'lr Carmichael, C'lr Hedge & C'lr Birch.

Would Councillors please check the listing above & contact the Clerk if they do not wish to stand on above committees. At first meeting of each committee please elect a Chairman and submit regular committee dates for 2009/2010 to the clerk..

**Community Area Plan – Transport sub-committee** – C'lr M. Connolly & C'lr H. Jones.

**7. General Public – Questions** WPC Wilby reported: a) the multi agency operation held 17<sup>th</sup>/18<sup>th</sup> April re anti-social behaviour had been a success. b) 16<sup>th</sup> May 2009 between 10am – 1pm take your bike to Tidworth Leisure Centre for postcode etching.

Questions to the police re vehicles speeding in Ludgershall Road; a traffic officer had been in the area with a speed gun but on this occasion only warnings were given. Hopefully when the NEQ development goes ahead the proposed roundabout near Beech Hill junction will serve as a traffic calming measure.



The Manager of Tidworth Royal British Legion senior football Club complained that sport pitches & changing facilities at Arcot Road, Tidworth were not always available for their home matches although booking of these facilities had been made in advance from their fixture list

This causes considerable expense to find alternative venues with changing facilities (a requirement of their league) at very short notice and has resulted in the senior team having to play several home matches in Andover. The Royal British Legion football team is the only senior team in Tidworth but if pitches in Tidworth are continually unavailable for home matches then it could result in possible expulsion from their current league. The clerk to write to Mr A. Pickernell, Aspire & send a copy to Mr C. Kenton, Chief Executive Aspire & Col P. Tabor, Garrison Commander

The manager from the Royals football team showed the Council their new football strip purchased from the Town Council's donation made last year. Sunday 31<sup>st</sup> May 2009 between 10am – 6pm on Mooltan Sports ground they will be holding a fun day with end of season presentations taking place in Royal British Legion Club from 3-30pm – 4.00pm They would like to invite C'llrs to attend this event; volunteers please contact the clerk. Mrs Tina Edwards asked the following questions: - a) If a record of Tidworth Town Council meetings could be made available for the Parish Magazine, this request will be discussed by the relevant committee. B) Her daughter lives at 3 Pennings Road and the youth are causing problems to nearby residents when they meet at the Town Council seat in this area often late at night until the early hours of the morning could the seat please be removed. The council feel the residents must call the police each time they are disturbed by anti social behaviour and the situation will be monitored, as elderly people use the seat regularly during the day. C) Footpath to Zouch school has no lighting and during the winter months children walk home from after school clubs in the dark, the Transport Group will investigate lighting. Two lighting columns from Gason Hill leading to the footpath are not working, the clerk will report via Clarence. D) PCC of Holy Trinity request a directional road sign to the Church and Church Rooms, C'lr M. Connolly will contact Peter Hanson on this matter. A request for signs to all Churches in Tidworth was received.

8. Minutes of the previous meeting had been circulated; C'lr Miles proposed they should be signed as a true record, seconded by C'lr Hewitt, carried. Matters arising: 3) A site visit to the The Old Brewery was held on Wednesday 22<sup>nd</sup> April 2009, the Town Council agreed to drop the request for double yellow lines in front of the garage regarding the outstanding Waiting Restrictions Order 2008 providing demarcation of pavement in front of the garage is marked by white lines at kerbside and rear of pavement. The garage will display signs 'No parking on the pavement' reminding their customers to keep the designated pavement clear at all times. 4.3) Wavell Road Play area – still no reply from Mr Hull, MHS, the clerk will invite him to attend June meeting. 4.10) The Tidworth logo used on the letterhead has been changed and amended copy was circulated for approval. 5) Demolition of Spar site at top of Station Road has commenced. 7) Station Road surface, C'lr Connolly reported that Tesco are adamant it should only be repaired, Wiltshire Council are waiting an independent survey on the condition of existing surface. 9) Transfer of land to Town & Parish Councils is on hold ng during the next 12 months while Wiltshire Council survey their needs etc.

#### 9. Committee Reports

*Planning Committee* – C'lr Jones reported on 2 meetings held 7<sup>th</sup> & 21<sup>st</sup> April 2009; minutes had been circulated. Meeting held 7<sup>th</sup> April 2009 C'lr Sherlock in the chair due to C'lr Jones & C'lr Hedge declaring an interest regarding amended plans for Area 19 & amended plans for North East Quadrant. The committee objected to NEQ traffic plans regarding signalised junctions at Ordnance Road & Merrut Road



Meeting held the 21<sup>st</sup> April 2009 viewed the Wellington Academy plans C'lr M. Connolly attended this meeting but declared an interest as a County Councillor. The Planning committee supported the overall scheme but raised observations regarding: a) car parking spaces needed increasing. B) The speed limit should be amended to 30mph at Brimstone Bottom and extend right through Ludgershall. C) External materials - concerned about the black wooden panels are too much of a contrast against other materials used & could be costly to keep pristine. C'lr Jones proposed both reports should be approved, seconded by C'lr Hedge, carried.

**Heritage & Environment Committee** – C'lr Carmichael reported on meeting held 21<sup>st</sup> April 2009, minutes had been circulated. 5) A sample bronze plaque to be requested before a final order is placed. The committee recommend that we delay applying for a civil wedding licence until such time as the Chapel is completely finished & cleaned. 6) Cemetery arbour specification complete and a quote is being obtained. 7) Bus Shelter – agreed to replace shelter at Somme Road but with a smaller 2 bay model. 8) No reply from Tesco HO regarding Christmas light annual donation. C'lr Carmichael proposed this report should be approved, seconded by C'lr Birch carried.

#### **10. Correspondence**

a) Wiltshire Council – Community Area Highway Information pack received on the Council's proposed highway schemes for 2009/2010.

Parish Steward Scheme – Invite to Contact Training Day 19<sup>th</sup> May 2009, no volunteers

b) Thank you letters from Drumbeat & Tidworth Over Sixties Club for the recent Donations.

c) Wiltshire Council - Community Emergency Volunteer training on 20<sup>th</sup> May 2009.

d) Aspire Defence Tree Management offering to attend a Town Council meeting to provide an overview of the tree management carried out on behalf of the MOD, the clerk to send an invite to attend a meeting.

e) A poster to display Marie Curie Cancer Care's event 12 June-12<sup>th</sup> July 2009.

f) Newsletters, annual reports & advertising received during the month available for inspection by Councillors.

C'lr Miles asked for a short adjournment of the meeting as he wished to speak to the Clerk.

g) A letter of resignation as Vice-Chairman was handed to the Clerk as C'lr Miles felt he could not work with the Chairman due to lack of vision. It was agreed election of Vice-Chairman would be an agenda item in June 2009.

#### **11. Bills for Payment** - The following cheques were drawn and passed for payment: -

ISS Waterers	Ground Maintenance	£762-84p
Mr B. Ward	Grass cutting Holy Trinity	£429-33p
Wiltshire Council	Non-domestic rates Cemetery	£82-90p
Wiltshire Council	Non-domestic rates Comm Centre	£167-00p
WALC	Annual subscription	£781-45p
Wolseley	Replacement toilet seat	£9-14p
Wiltshire Contractors	Repair/removal seats Pennings Rd	£139-75p
Mr S. Dagger	Travel Expenses	£23-48p
C/B GSU	Drumbeat civilian copies	£150-00p
Somerfield	Cleaning materials	£8-04p
Mrs J. White	Salary & Expenses	£1147-07p
Inland Revenue	TA & Insurance	£282-76p
Festive Lighting	Christmas Lights	£1127-00p
B. Gas Business	Electric supply	£104-19p

1<sup>st</sup> precept payment received and paid into current account a transfer of £45,000-00p requested for signature to transfer to Business 30 day account. Payment of cheques proposed by C'lr Hedge, seconded by C'lr A. Connolly, carried.



**12. Town Reports** – 21<sup>st</sup> April the military carried out a litter picking practice, on 13<sup>th</sup> May 2009 all available soldiers will take part in Clean Sweep to pick up litter from family service quarters, in Tidworth, Bulford & Shipton, plus surrounding land and from the River Bourne. Local schools will be taking part and local civilians are invited to take part. Why is Tidworth listed as being in Hampshire instead of Tidworth Wiltshire? This has been investigated before and due to the mail being sorted in Southampton, but the county is irrelevant it is the postcode that donates the area.

Repairs to road surface required again by Hampshire Cross traffic lights outside of the dentist, the clerk will report via Clarence.

The road surface of A.338 at Cholderton from the mini-roundabout to junction for rare breeds farm is still in a bad condition.

C'lr Lomas & C'lr Hamblin volunteered to attend The Royals Football presentations.

Major Amery tendered his apologies for June meeting as he will be on holiday.

The horse chestnut disease appears to have improved this year - a question to raise when the Aspire Tree Management attend Council meeting.

Station Road, vehicles still parking in bus stops & taxi ranks and causing problems, the clerk will contact the Enforcement officer so that tickets can be issued now that the parking regulations are in force. Could C'lr's be provided with ID cards from Wiltshire Council to show the public if approaching them about any minor parking offence or similar problem, please put name forward to clerk if interested.

A concern raised that Tidworth residents could miss out on medical treatment due to postcodes and county boundary. It was felt there should be co-operation between the PCT's and G.P.'s can access care outside of Wiltshire. If transport is a problem then the Link Scheme may be able to provide transport for a small donation.

There being no further business to discuss the meeting closed at 8-25pm



## TIDWORTH TOWN COUNCIL

JUNE 2009

Minutes of the Town Council meeting of Tidworth held on Tuesday, 2<sup>nd</sup> June 2009 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger in the Chair, C'lr Wildman, C'lr M. Connolly, C'lr Evans, C'lr Miles, C'lr Hewitt, C'lr Buffrey, C'lr A. Connolly, C'lr Birch, C'lr O'Connell, C'lr Franklin, C'lr Carmichael, C'lr Hedge, C'lr Sherlock, C'lr Jones, C'lr Hamblin & C'lr Lomas  
**Representatives:** DCOS Lt Col R. Carmen, & Steve Dancey, press reporter.

**Members of the public:** Mr Galvin.

**1. Election of Vice-Chairman** C'lr Franklin asked why election of Chairman was not an agenda item; advice from WALC on the voting issue raised after the May meeting had only been received Monday 1<sup>st</sup> June 2009 and will be discussed under matters arising from the last minutes. Following the resignation of C'lr Miles at the May 2009 meeting, C'lr Carmichael nominated C'lr Sherlock, seconded by C'lr Birch. C'lr Evans nominated C'lr Miles (who is now willing to stand), seconded by C'lr Lomas. A vote by a show of hands was taken resulting in 9 votes for C'lr Sherlock, 7 votes for C'lr Miles. C'lr Sherlock was duly elected as Vice-Chairman.

**2. Apologies** were received from C'lr Reid & C'lr Halfon (prior engagements)

**3. Declaration of Interest** - none received.

**4. General Public – Questions** Mr Galvin reported: - 1) The resident at 26 Trinity House is leaving Tidworth and is disappointed the Council did not make contact regarding complaint about Sarsen Housing Association. 2) The grass along new footpath from Gason Hill to Zouch Primary School has not been cut and another area near the play area and garages is still overgrown, the clerk will investigate.

WPC Wilby reported: - 1) A number of car crimes had been reported, a male arrested & admitted to 8 crimes involving cars. 2) Youths in the Burlington Close area causing anti-social behaviour; the public are asked to report any incident however small; if they wish to remain anonymous please contact Crime Stoppers. WPC Wilby left the meeting.

**5. Minutes** of the previous meeting had been circulated; matters arising: 1) Election of Chairman – C'lr Franklin questioned a void paper in the ballot at the May meeting. WALC had been contacted for advice on the procedure & the reply from the County secretary 'the best course of action had been taken in the circumstances. C'lr Evans became very vocal on this matter, he was asked to leave the meeting but continued the heated discussion causing embarrassment to the Council. Another C'lr was prepared to make a citizen's arrest under section five public order offence; the meeting was adjourned at 7-25pm for 10 minutes. Lt Col Carmen and C'lr Hewitt left the meeting.

7-35pm the meeting reconvened & C'lr Jones tabled a motion - the chairman had been elected last month, he had accepted by signing his Declaration of Acceptance Form, due to complaints after the meeting closed advice on procedure to elect the Chairman had been sought from WALC, their reply – best course of action taken, so the meeting should move on, seconded by C'lr Carmichael. A vote was taken on the above motion, which was carried by 8 votes to move on, & 1 vote against.

C'lr A. Connolly tabled another motion that the meeting should be suspended due to circumstances of the heated discussions. C'lr Miles proposed an amended motion that the meeting should be suspend after Renewal of Insurance Policy and Bills for Payment had been discussed, seconded by C'lr Dagger, agreed.

**9. Insurance Policy – Renewal** C'lr Hedge as Chairman of Finance & Management Committee had compared quotes from WPS Broking Services. Policy with Norwich Union and the renewal quote from our existing insurers Allianz, a decision was required tonight so the Council remained insured.



Norwich Union although cheaper this year it was felt had undercut figures from our Schedule of last year but had also imposed a three-year long-term agreement so that prices could be increased in the 2<sup>nd</sup> & 3<sup>rd</sup> year. C'lr Hedge therefore proposed the policy be renewed with Allianz for £5832-99p, seconded by C'lr Franklin, carried. C'lr Hedge proposed more time is given next year to obtain quotes for the Insurance Policy.

**11. Bills for Payment** – The following cheques were drawn and passed for payment: -

C/B GSU	Drumbeat civilian copies	£150-00p
Wiltshire Council	Non-domestic rates Community Centre	£167-00p
Tom Butler	Hanging baskets x 2 months	£155-48p
Wiltshire Contractors	Repair Play area fence	£58-65p
Mrs J. White	Salary & expenses	£1146-86p
Inland Revenue	Tax & Insurance	£285-44p
Wilts Contractors	Repairs Community Centre	£44-85p
ISS Waterers	Ground Maintenance	£762-84p
Accounting Solutions	Year end close down & accounts	£545-56p
Allianz Insurance plc	Renewal of policy	£5832-99p

A transfer of £8000-00p from Business 30 day account into the current account requested for signature. C'lr Hedge proposed payment of the above cheques, seconded by C'lr Jones carried.

The clerk reported the 2008/2009 accounts need to be adopted by the Town Council before 30<sup>th</sup> June 2009, an Extraordinary Council Meeting will be called for Tuesday 16<sup>th</sup> June 2009 at 7-30pm to discuss this matter.

The meeting was closed at 7-50pm and all outstanding business will be discussed at July 2009 meeting.



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**Present:** C'lr Dagger in the Chair, C'lr Wildman, C'lr M. Connolly, C'lr Evans, C'lr Miles, C'lr Hewitt, C'lr Buffrey, C'lr A. Connolly, C'lr Birch, C'lr O'Connell, C'lr Franklin, C'lr Carmichael, C'lr Hedge, C'lr Sherlock, C'lr Jones, C'lr Hamblin & C'lr Lomas Representatives: DCOS Lt Col R. Carmen, & Steve Dancey, press reporter.

Members of the public: Mr Galvin.

**1. Election of Vice-Chairman** C'lr Franklin asked why election of Chairman was not an agenda item; advice from WALC on the voting issue raised after the May meeting had only been received Monday 1<sup>st</sup> June 2009 and will be discussed under matters arising from the last minutes. Following the resignation of C'lr Miles at the May 2009 meeting, C'lr Carmichael nominated C'lr Sherlock, seconded by C'lr Birch. C'lr Evans nominated C'lr Miles (who is now willing to stand), seconded by C'lr Lomas. A vote by a show of hands was taken resulting in 9 votes for C'lr Sherlock, 7 votes for C'lr Miles. C'lr Sherlock was duly elected as Vice-Chairman.

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A GROUP OF VOLUNTEERS, BUSINESS leaders and volunteers attended a celebration of the fundraising work of the Testway Transform Money Box Fund. Since its creation in August 2007,

the charitable arm of Testway Housing has provided grants for 53 different groups in an area around the Test Valley area and helped more than 5,000 people. Grants can range from £250 to £2,500



Visitors from Romsey Gateway at the celebration event.

and have been used to provide anything from a new trailer for Andover District Explorer Scouts to funding a line-dancing teacher for visually impaired people in the town.

One of the groups helped by the money fund was Andover Unicorn Darts Youth Academy.

Chairman Glen Dawkins said: "The grant from Transform helped considerably to take the team to play around the south of England and has helped kit them out with brilliant embroidered shirts with their names on. Our academy is now the envy of all other academies across the UK and, through the help of the partners, we are now the benchmark for all others to aim for."

Geoff Mitchell, chairman at Testway Housing Association, said: "It's just brilliant what Transform does and it's amazing that for what some might see as a small sum, you can make a real difference."

Andover MP Sir George Young is a patron of Testway Transform alongside the Bishop of Winchester, the Rt Rev Michael Scott-Joynt, and Lord Lieutenant of Hampshire Mary Fagan.



Rt Hon Sir George Young MP, above, and, below, chairman of Testway Geoff Mitchell.



theme of the 2009 St Peter's Church Flower Festival in Stockbridge from 26 to 28 June.

Between 10am and 7pm on the first two days and midday and 6pm on the last day different floral arrangements will be on display in the church.

Cream teas will be served between 2pm and 5pm on 27 and 28 June.

## Fashion show

A FAIRTRADE Fashion Show will take place at Stockbridge Primary School on 18 June from 7.30pm.

Both men and women's fashion will be on display, along with jewellery, scarves and bags for sale.

Tickets costing £3 (to include a glass of wine) are available from Robinson's Butchers and The Garden Inn in Stockbridge High Street.

## Casino night

A CASINO evening has been arranged at the Vernham Dean Millennium Hall for Saturday 4 July.

Tickets are £20 per head which includes a free drink, supper and 100 Vernham Dean dollars.

Limited tickets are available for the casino evening. Call Tandy on 01264 737768 or Mary on 01264 737630 for more information.

## Shop evacuated

CUSTOMERS and employees of the Wilkinsons store in Andover were evacuated last Thursday as part of a routine health and safety procedure.

The store was closed for about ten minutes at around 10.30am to ensure everyone had left the premises safely.

A3.4

# Council meeting ends in uproar

A TOWN council meeting had to be suspended after uproar ensued when some members described a decision taken at the previous meeting as a "fiasco".

At one point during the suspension Bill Lomas, a former police officer in Tidworth, said that he was prepared to effect a citizen's arrest on another councillor who was particularly disgruntled and voluble during heated discussions.

Mr Lomas told Cllr Paul Evans: "I am prepared to make a citizen's arrest as you are on the verge of committing a section five public order offence."

Mr Evans was the most vocal of a

not equipped with a loop system for deaf people).

Cllr Chris Franklin, who was defeated in his chairmanship last month, said: "I don't believe the ballot was correct and do believe that there was a void paper." Cllr Humphrey Jones said: "Dottie didn't know what she had been asked to do and it was entirely proper for the clerk to explain."

However, Cllr Andrew Connolly believed the vote was void because Mrs Halfon has written something on her ballot paper before she voted - effectively spoiling her vote.

Clerk Janet White told the council

that she had contacted the Wiltshire Association of Local Councils about the matter and they said "the best course of action had been taken in the circumstances".

The meeting was suspended at 7.25pm for 15 minutes and abandoned at 7.50pm with the issue unresolved.

What do you think of the 'fiasco'?

COMMENT ONLINE

andoveradvertiser.co.uk/news



ANDOVER ADVERTISER

5/6/09



Confidential – Not for general publication

Wiltshire Council

Standards Committee

Assessment Sub-committee

WILTSHIRE COUNCIL

AGENDA ITEM NO. 6

DATE 7<sup>th</sup> July 2009

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Initial Assessment

Complaint against Councillor Paul Evans – Tidworth Town Council

1. On 23<sup>rd</sup> June 2009 the Monitoring Officer received a complaint from Councillor David Sherlock against Councillor Paul Evans, a member of Tidworth Town Council.
2. The complaint concerns allegations that at a meeting of Tidworth Town Council on 2<sup>nd</sup> 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. This is set out by the complainant in his complaint form - **Appendix A**.
3. The complainant has provided minutes of the meeting of 2<sup>nd</sup> June 2009 to support his complaint, and these appear at **Appendix B**.
4. The complainant alleges that Councillor Evans' behaviour breached the following paragraphs of the Code:
  - Paragraph 3 (1) – "You must treat others with respect": and
  - Paragraph 5 - "You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".
5. Councillor Evans' Declaration of Acceptance of Office and undertaking to observe the Code of Conduct and Register of Interests are at **Appendix C**. Tidworth Town Council's Code of Conduct is at **Appendix D**.
6. Councillor Evans was a member of Tidworth Town Council at the time of the incident giving rise to this complaint. He had agreed to be bound by the Code of Conduct for members.



7. The Sub-Committee is required to take into account the matters set out in the Local Assessment Criteria (**copy attached**).
8. The Assessment Sub-Committee is requested to assess whether the complaint, if proven, would represent a breach of the Code of Conduct for Members, and to reach one of the following three decisions:
  - a. Refer the complaint to the Monitoring Officer of the authority for investigation or other appropriate action (e.g., mediation or informal resolution)
  - b. Refer the complaint to the Standards Board for England
  - c. Decide that no further action should be taken in respect of the complaint.

**Ian Gibbons Monitoring Officer**

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**Report Author: Nina Wilton**

**01225 713078**

**Date of report 30<sup>th</sup> June 2009**

**Background Papers**

**none**



# **DECISION NOTICE: REFER FOR INVESTIGATION**

**Reference WC- 24/09**

## **Complaint**

On 7 July 2009, the standards committee of this authority considered a complaint from Cllr David Sherlock regarding the alleged conduct of Cllr Paul Evans, a member of Tidworth Town Council. We have set out a general summary of the complaint below:

The complainant alleges that at a meeting of Tidworth Town Council on 2 June 2009, Cllr Evans verbally abused other councillors present, including the complainant, causing the meeting to be adjourned for ten minutes. The complainant alleges that Cllr Evans failed to treat others with respect and brought his office or authority into disrepute.

## **Decision**

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the assessment sub-committee of the standards committee decided to refer the complaint to the Monitoring Officer of this authority for investigation.

## **Reasons for decision**

Members of the sub-committee found that, if proven, Cllr Evans' alleged conduct would constitute a breach of the following paragraphs of the Code of Conduct for Members:

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.



This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and to the clerk of the town council.

**What happens now?**

- Investigation – Please see the attached guide on the investigations process. The investigator will use this guidance, but if s/he considers it necessary to vary the process in the guidance, will be permitted to do so at the discretion of the Monitoring Officer.

**Terms of reference**

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and the requirements for dealing with this.

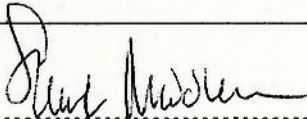
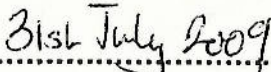
The regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committee) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

**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 .....  .....

**Chair of Assessment Sub-Committee**



5 August 2009

A3.7

Marie Lindsay  
Ethical Governance Officer  
Wiltshire Council

Your ref: ML  
Our ref: IRG/WC 24/09

Dear Mrs Lindsay,

## **Appointment as Investigating Officer - Complaint against Councillor Evans**

I am writing as Monitoring Officer in exercise of the powers available to me under section 82A of the Local Government Act 2000 to appoint you to act on my behalf as the Investigating Officer in respect of allegations by Councillor David Sherlock (the complainant) concerning the alleged conduct of Councillor Paul Evans, a member of Tidworth Town Council.

Details of the complaint are set out in the enclosed papers, comprising:

1. Report to the Assessment Sub-Committee of Wiltshire Council's Standards Committee dated 7 July 2009
2. Decision Notice: Referral for Investigation
3. File of correspondence to date

I would be obliged if you would investigate the complaint in accordance with the statutory framework for dealing with complaints under the Members' Code of Conduct, and guidance issued by the Standards Board for England, in particular the Guidance Note "How to Conduct an Investigation"

As set out in the guidance you should prepare an investigation plan and send this to me for review. I would also like you to report to me on your progress with the investigation at regular intervals to be agreed.

You should aim to complete and present your final report to me within 8 weeks of the date of this letter. Please let me know at the earliest opportunity if you consider that it may not be possible to meet this timescale.

You should maintain confidentiality throughout the investigation in accordance with the Standards Committee (England) Regulations 2008 and the Standards Board's Guidance.



Thank you for undertaking this role.

Yours sincerely



Ian Gibbons  
Solicitor to the Council and Monitoring Officer  
Direct Line: 01225 713052  
Fax Number: 01225 718399  
Email: [ian.gibbons@wiltshire.gov.uk](mailto:ian.gibbons@wiltshire.gov.uk)



INVESTOR IN PEOPLE



A3.8

## Investigation plan

**Case No:** WC-24/09

**Date received by standards committee:** 7 July 2009

**Date referred to investigator:** 5 August 2009

**Ref No:**

**Subject member:** Councillor Paul Evans

**Complainants:** Councillor David Sherlock

**Authority:** Tidworth Town Council

**Investigator:** Marie Lindsay

### Target for monitoring officer's receipt of draft report

**Date due:** 12 October 2009

**Explanation:** Summer holidays are likely to result in non-availability of witnesses. Investigator on leave 17 to 31 August and then on Jury service from 21 September to 2 October.

### Target for issue of draft report

**Date due:** 19 October 2009

**Explanation:** To allow Monitoring Officer time to consider draft report

### Target for issue of final report

**Date due:** 2 November 2009

**Explanation:** To allow time for subject member and complainant to comment on draft report, and for investigator to make any relevant amendments resulting from those comments.



## Case analysis

### Behaviour alleged

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 with respect.

### Relevant Code paragraphs

Paragraph 3(1) – failing to treat others with respect;

Paragraph 5 – bringing an office or authority into disrepute.

### Issues for determination

Did he make the statement as alleged?

Who else heard the words? What was the impact of the words upon those that heard?

What was the context of the words spoken?

Was it a public meeting?

Were the words spoken by Cllr Evans as part of a private conversation or as part of the public meeting?

Was Cllr Evans attending the meeting as a councillor?

### Evidence required

Statement from complainant

Statement from Councillor Evans

Witness statements from others present at the meeting on 2 June and directly involved in the alleged incident – Cllr Steve Dagger

(Chairman), Cllr David Wildman and Cllr Bill Lomas

Copy of Andover Advertiser dated 5



June in which the incident was reported

**Evidence obtained**

To add additional analysis, copy and paste the above table.

**Other matters**

Identify any thoughts/lines of inquiry not outlined in the table and also highlight any problems in the referral process.

Approved by:

*JR Cobble*

Date:

*12 August 2009*



A3.9

Dear Katie.

Re our telecon. 1430 Thursday 14<sup>th</sup> July.

Here are the chain of events.

Election of Chairperson

Two candidates

Secret ballot requested

Twelve votes collected

Two delayed

On taking the last two votes the Clerk noticed, because it was given to her open, that one had been incorrectly filled out.

In fact the councillor had put her own name on the paper.

The Clerk then explained what was required and wrote the two candidates names on her own notepad.

The councillor entered her vote correctly

The votes were then counted


Fourteen votes cast, seven for each candidate

Out going chairperson (myself) has casting vote

Re-elected Chairperson S M Dagger

*I would like your opinion on the procedure taken.*

Yours



Steve Dagger

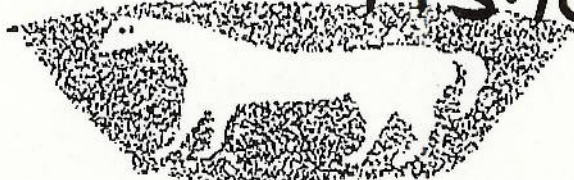
Chairperson???

Tidworth Town Council

01980 846 737



A3.10



By Fax: Monday 01 June 2009  
To: Councillor S Dagger - 01980 846737  
From: Katie Fielding - 01380 728476

Dear Councillor Dagger

Further to your enquiry, please find my views on the procedures you outline below.

The law does not provide for certain events which arise during the procedure of electing a chairman, only for the procedure itself, that said however, I have looked at the outline of events where a member wrote her own name on the paper in error and come to my conclusions based on practice.

As I understand it, on noticing that the member had written her own name in error, rather than the name of one of the two named candidates, the clerk wrote the names of the candidates down for the member as a reminder so that she could vote with the two nominees in mind, which she then did. If my interpretation is correct then I would view this as the best course of action to take in the circumstances.

Once this had been done there was an equality of votes. Under section 15 of the Local Government Act 1972, the outgoing chairman remains in that position until his successor becomes entitled to act as chairman (unless he has previously resigned or become disqualified), and under the same section of the same act, the outgoing chairman, if presiding over the meeting, has both a normal and, in the case of an equality of votes, a casting vote. If the chairman, at that point has ceased to become a councillor (e.g. in an election year, or if he is resigning from the council), he does not have a normal vote, only a casting vote, but as I understand it, this aspect of the law is not relevant in this case.

I hope my comments above are clear. Please let me know if you require any further clarification. I would be grateful to know you have received this facsimile.

Yours sincerely

Katie Fielding  
County Secretary

**WILTSHIRE ASSOCIATION OF LOCAL COUNCILS**  
WORKING IN PARTNERSHIP WITH LOCAL COUNCILS IN WILTSHIRE & SWINDON.  
AFFILIATED TO THE NATIONAL ASSOCIATION OF LOCAL COUNCILS

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A3.11

Lindsay, Marie

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**From:** Janetwhitepc@aol.com  
**Sent:** 05 October 2009 20:02  
**To:** Lindsay, Marie  
**Subject:** Re: Code of Conduct training

Hello Marie,

Tidworth Town Council were offered advice in a letter from Wiltshire Council new Standards Board in September 2009 and a DVD was also enclosed. This item will be discussed at our next Strategy committee meeting when members have been able to view the DVD. No training has been undertaken to date.

Sorry for delay in my reply but I have been on holiday.

Regards

Janet White  
Clerk of TTC

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A3.12

Lindsay, Marie

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**From:** Janetwhitepc@aol.com  
**Sent:** 12 November 2009 15:41  
**To:** Lindsay, Marie  
**Subject:** Re: TRIM: Re: Code of conduct complaint  
**Attachments:** TTC Minutes June'08 - May '09.pdf

Hello Marie,

Please find attached file containing June 2008 - May 2009 showing attendance of C'lr's plus apologies received. Meetings not held during August & February 2009 the chairman cancelled the meeting due to heavy snowfalls & bad road conditions. I hope this information is sufficient if not please let me know.

Regards

Janet White  
Clerk of TTC

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## TIDWORTH TOWN COUNCIL

JUNE 2008

Minutes of the Town Council meeting of Tidworth held on Tuesday, 3<sup>rd</sup> June 2008 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger in the Chair, C'lr Franklin, C'lr Wildman, C'lr M. Connolly, C'lr Miles, C'lr Ward, C'lr Hewitt, C'lr Buffrey, C'lr Birch, C'lr Reilly, C'lr A. Connolly, C'lr Hamblin, C'lr Carmichael, C'lr Sherlock, C'lr Hedge, C'lr Jones & C'lr Halfon.

Reps: C'lr Giles LTC, Major Lee CoS, Garrison & Steve Dancey press reporter. Members of the Public: Mr Lomas, Mrs O'Connell & Mr Galvin.

**1. Apologies** received from C'lr Evans.

## TIDWORTH TOWN COUNCIL

JULY 2008

Minutes of the Town Council meeting of Tidworth held on Tuesday, 1<sup>st</sup> July 2008 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger in the Chair, C'lr Franklin, C'lr Wildman, C'lr Reid, C'lr M. Connolly, C'lr Miles, C'lr Hedge, C'lr Ward, C'lr Hewitt, C'lr Birch, C'lr Reilly, C'lr Hamblin, C'lr A. Connolly, C'lr Carmichael, C'lr Sherlock, C'lr Jones, C'lr Halfon & C'lr Evans. Reps: Major Amery, Garrison HQ & S. Dancey press reporter. Members of the Public: Mr Lomas, Mrs & Murray & Mr Galvin.

The Chairman announced the sad loss of Peter Colling, past Parish Chairman & District Councillors for many years & a 2 minutes silence was held, afterwards details of his Memorial Service were announced.

**1. Apologies** were received from C'lr Buffrey (prior engagement); the police also sent their apologies.

## TIDWORTH TOWN COUNCIL

SEPTEMBER 2008

Minutes of the Town Council meeting of Tidworth held on Tuesday 2<sup>nd</sup> September 2008 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger in the Chair, C'lr Franklin, C'lr Reid, C'lr M. Connolly, C'lr Miles, C'lr Evans, C'lr Hewitt, C'lr Hedge, C'lr Buffrey, C'lr Birch, C'lr Hamblin, C'lr Carmichael, C'lr Sherlock & C'lr Jones. Representatives: Major Richard Amery, Garrison HQ, & Steve Dancey press reporter. Member of the Public: Mr R. Atkinson-Willes, Project Workshop, Quarley & Mr Galvin.

**1. Apologies** were received from C'lr Halfon, C'lr Wildman (prior engagement), C'lr A. Connolly (work) & C'lr Ward (ill). The police also sent apologies.

## TIDWORTH TOWN COUNCIL

OCTOBER 2008

Minutes of the Town Council meeting of Tidworth held on Tuesday, 7<sup>th</sup> October 2008 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger in the Chair, C'lr Franklin, C'lr Hewitt, C'lr M. Connolly, C'lr Birch, C'lr Carmichael, C'lr Hedge, & C'lr Halfon. Representatives: Sgt M. Phipps, & PCSO Downham, Mr A. Johnstone, HQ & Steve Dancey, press reporter. Member of Public: Mr Galvin.

**1. Apologies** were received from C'lr Jones, C'lr Sherlock (holiday), C'lr Reid, C'lr Hamblin, C'lr Miles, C'lr Reilly & C'lr A. Connolly (Work) C'lr Buffrey (ill) & C'lr Wildman (prior engagement).

## TIDWORTH TOWN COUNCIL

NOVEMBER 2008

Minutes of the Town Council meeting of Tidworth held on Tuesday, 4<sup>th</sup> November 2008 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger in the Chair, C'lr Franklin, C'lr Reid, C'lr M. Connolly, C'lr Miles, C'lr Hedge, C'lr Hewitt, C'lr Buffrey, C'lr Birch, C'lr Reilly, C'lr Hamblin,



C'lr Carmichael, C'lr Sherlock, C'lr Jones & C'lr Halfon. Representatives: Major Amery, Garrison HQ, & S. Dancey press reporter Members of the public: Mr Lomas, Mr Galvin, Mrs O'Connell & 3 members of Tidworth Royals FC.

1. Apologies were received from C'lr A. Connolly & C'lr Wildman. PC Eburne also sent his apologies.

**TIDWORTH TOWN COUNCIL  
DECEMBER 2008**

Minutes of the Town Council meeting of Tidworth held on Tuesday, 2<sup>nd</sup> December 2008 in the main hall of the Community Centre at 7-00pm

Present: C'lr Dagger in the Chair, C'lr Franklin, C'lr Reid, C'lr M. Connolly, C'lr Miles, C'lr Evans, C'lr Hedge, C'lr Hewitt, C'lr Buffrey, C'lr Birch, C'lr Hamblin, C'lr A. Connolly, C'lr Carmichael, C'lr Sherlock, C'lr Jones & C'lr Halfon.

Representatives: Major Amery, P.C. Eburne, Mr Schofield Wellington Academy & S. Dancey press reporter. Members of Public: Mrs O'Connell and 2 members of Tidworth Royals.

1. Apologies were received from C'lr Wildman and C'lr Reilly (prior engagements)

**TIDWORTH TOWN COUNCIL  
JANUARY 2009**

Minutes Of the Town Council meeting of Tidworth held on Tuesday, 6<sup>th</sup> January 2009 in the main hall of the Community Centre at 7-00pm.

Present: C'lr Dagger in the Chair, C'lr Franklin, C'lr Reid, C'lr M. Connolly, C'lr Wildman, C'lr Miles, C'lr Evans, C'lr A. Connolly, C'lr Hewitt, C'lr Birch, C'lr Hamblin, C'lr Hedge, C'lr Sherlock, C'lr Jones & C'lr Halfon. Representatives: Major Amery & Steve Dancey. Members of Public: Mr Lomas, Mr Thomas, Mr Galvin & Mr O'Keefe.

The Chairman had been handed a letter of resignation from Mrs Jean Ward, due to ill health & Mr Baz Reilly handed in a letter of resignation to the meeting due to work commitments, he then left the meeting, both resignations were accepted with regret, the Clerk will report both casual vacancy's to Wiltshire Electoral Services.

1. Apologies were received from C'lr Carmichael (ill) & C'lr Buffrey (hospital).

**TIDWORTH TOWN COUNCIL  
MARCH 2009**

Minutes of the Town Council meeting of Tidworth held on Tuesday 3<sup>rd</sup> March 2009 in the main hall of the Community Centre at 7-00pm.

Present: C'lr Dagger in the Chair, C'lr Franklin, C'lr Reid, C'lr M. Connolly, C'lr Miles, C'lr Evans, C'lr Hewitt, C'lr Buffrey, C'lr Birch, C'lr Hedge, C'lr Carmichael, C'lr Sherlock, C'lr Jones & C'lr Halfon. Representatives: Major R. Amery, Sgt Freeman, Steve Dancey, press, Mr M. Winterbourne, TDT & Mrs V. Powley, TCAP. Members of the public: Mr Galvin, Mr Lomas & Mrs O'Connell.

1. Apologies were received from C'lr Hamblin (work), C'lr A. Connolly & C'lr Wildman (prior engagement)

**1. TIDWORTH TOWN COUNCIL  
APRIL 2009**

Minutes of the Town Council meeting of Tidworth held on Tuesday 7<sup>th</sup> April 2009 in the main hall of the Community Centre at 7-00pm.

Present: C'lr Dagger in the Chair, C'lr Franklin, C'lr Reid, C'lr Wildman, C'lr M. Connolly, C'lr Miles, C'lr Evans, C'lr Hewitt, C'lr Buffrey, C'lr O'Connell, C'lr Hedge, C'lr Carmichael, C'lr Sherlock, C'lr Jones & C'lr Halfon. Representatives: Major R. Amery, WPC Jayne Wilby, PCSO Michael Tryhorn & Steve Dancey press reporter. Members of Public: Mr Galvin, Mr Bailey & Mr Blandford.

1. Apologies were received from C'lr Birch (ill), C'lr A. Connolly (work), C'lr Lomas & C'lr Hamblin (holiday).



**TIDWORTH TOWN COUNCIL**  
**MAY 2009**

Minutes of the Annual Town Council meeting of Tidworth held on Tuesday 5<sup>th</sup> May 2009 in the main hall of the Community Centre at 7-00pm.

**Present:** C'lr Dagger, C'lr Franklin, C'lr Reid, C'lr Lomas, C'lr M. Connolly, C'lr Evans, C'lr A. Connolly, C'lr Hewitt, C'lr Birch, C'lr Hamblin, C'lr Carmichael, C'lr Jones, C'lr Hedge & C'lr Halfon. Representatives: Major Amery, Garrison HQ & Steve Dancey, press reporter. 4 Members of the Public present. C'lr Miles arrived late at 7-10pm.

**1. Election of Chairman** C'lr Carmichael nominated C'lr Dagger as Chairman, seconded by C'lr Jones. C'lr Evans nominated C'lr Franklin, seconded by C'lr Lomas, both C'lr's willing to stand. From standing orders, C'lr Birch requested the voting was by a ballot, seconded by C'lr Hewitt. After the clerk had to explain the format of voting to one councillor by writing down the names of nominated persons, the result of the ballot after counting and checking resulted in 7 votes each for both C'lr Dagger & C'lr Franklin, the out going Chairman made his casting vote, C'lr Dagger was duly elected Chairman & he took the chair.

**2. Resolution – To continue Chairman and Vice- Chairman Status** C'lr Dagger from the Chair, proposed Tidworth Town Council should continue for another year with a Chairman & Vice-Chairman, not mayor & deputy mayor (Local Gov. Act 1972 s.245 (6)-(9), Appendix A, seconded by C'lr Jones agreed unanimously. C'lr Dagger duly signed his declaration of acceptance of office form as Chairman.

**3. Apologies** were received from C'lr O'Connell & C'lr Sherlock (holiday), C'lr Buffrey (ill) & C'lr Wildman (SWEP meeting)