

Wiltshire Council

Standards Committee

2 May 2012

**Outcome of Standards Consideration Sub Committee – case reference WC
37/11**

Purpose of Report

1. To report the outcome of the Standards Consideration Sub Committee held on the 31st January 2012 to consider an allegation of breaches of the Code of Conduct for members.

Background

2. On 20th May 2011, the Monitoring Officer of Wiltshire Council received a complaint from Councillor Michael Cuthbert- Murray, a member of Westbury Town Council, regarding the alleged conduct of Councillor Stephen Andrews, also a member of Westbury Town Council.
3. The complaint concerned allegations that at a meeting of Westbury Town Council, Councillor Stephen Andrews failed to treat a member of the public with respect; breached the Equality Act 2006; that his behaviour and statement amounted to bullying; that Councillor Andrews' statement was an attempt to improperly confer an advantage on himself or a disadvantage on another person; and that his behaviour and statement brought his office or authority into disrepute.
4. On 7th June 2011, the Standards Assessment Sub-Committee of Wiltshire Council considered the complaint. In accordance with section 57A(2) of the Local Government Act 2000 as amended, the Assessment Sub-Committee decided that the complaint and alleged breaches of paragraph 3(1) and 5 of the Code of Conduct should be referred to the Monitoring Officer for investigation.
5. The Monitoring Officer delegated his investigatory powers to Mr Roger Wiltshire, Ethical Governance Officer, pursuant to section 82A of the Local Government Act 2000.
6. The investigators report found –
 - Councillor Andrews had not breached the Code of Conduct paragraph 3(1) *You must treat others with respect.*

- Councillor Andrews had not breached paragraph 5 of the Code of Conduct *You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.*
- 7. The Consideration Sub-Committee of the Standards Committee of Wiltshire Council met on 31 January 2012 and, having carefully considered the Investigating Officer's report and findings, in accordance with Regulation 17 of the Standards Committee (England) Regulations 2008, decided to accept the Investigating Officers findings that no breach had occurred.

Main considerations for the Committee

- 8. This case failed to meet the target time as set by the Standards Committee for issuing the Final Report by 9 days.
- 9. Seven interviews were carried out during this investigation. All interviews were held at the home and business address of the interviewees.

Proposals

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

Report author;

Roger Wiltshire
Ethical Governance Officer