

## STANDARDS REVIEW SUB-COMMITTEE

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**DRAFT MINUTES OF THE STANDARDS REVIEW SUB-COMMITTEE MEETING  
HELD ON 30 JANUARY 2018 AT THE WEST WILTSHIRE ROOM - COUNTY  
HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Howard Greenman, Cllr Fred Westmoreland and Cllr Brian Mathew

**Also Present:**

Kieran Elliott (Senior Democratic Services Officer), Paul Taylor (Senior Solicitor), Stuart Middleton (Independent Person), Andrew Gordon (Complainant)

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**6 Election of Chairman**

**Resolved:**

**To elect Councillor Howard Greenman as Chairman for this meeting only.**

**7 Declarations of Interest**

There were no declarations.

**8 Meeting Procedure and Assessment Criteria**

The procedure and assessment criteria for the meeting were noted.

**9 Exclusion of the Public**

**Resolved:**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute 10 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

*Paragraph 1 - information relating to an individual*

10 **Review of an Assessment decision regarding the conduct of a Councillor**

Preamble

The Chairman led the Sub-Committee through the local assessment criteria which detailed the initial tests that should be satisfied before assessment of a complaint was commenced. The complaint was regarding the Cllr Nic Coome of Chilton Foliat Parish Council.

Upon going through the initial tests, it was agreed that the complaint related to the conduct of a member and that the member was in office at the time the alleged incident and remains a member of Chilton Foliat Parish Council. The Sub-Committee accepted the reasoning of the Deputy Monitoring Officer in his initial assessment decision regarding the appropriate Code of Conduct, in that a Code had in error not been formally adopted by the Parish Council, but that all the councillors had accepted compliance with the NALC Code when signing their acceptance of office and that it should be treated as the relevant Code.

The Sub-Committee therefore had to decide whether the alleged behaviour would, if proven, amount to a breach of that Code of Conduct. Further, if it was felt it would be a breach, was it still appropriate under the assessment criteria to refer the matter for investigation.

In reaching its decision, the Sub-Committee took into account the complaint and supporting documentation, the response of the subject member, the initial assessment of the Deputy Monitoring Officer to take no further action, and the complainant's request for a review. The Sub-Committee also considered the verbal representation made at the Review by the complainant, as well as a written statement from the Subject Member, who was not in attendance.

Conclusion

The complaint principally related to the tone and content of an email dated 29 August 2017 from the subject member to the complainant during email correspondence between the parties regarding a request from the Local Church Committee for a contribution from the parish council toward the cost of maintenance of a churchyard, and previous council decisions on the matter. The situation had been aggravated by other procedural and administrative concerns arising from the parish council being without a clerk.

The Sub-Committee carefully considered the alleged behaviours, and the requirements of the NALC Code to behave in a respectful manner, and uphold the principles of objectivity, selfless and leadership, among others. It was clear that the tone of the email could be considered to be provocative and unhelpful even if some of the queries were reasonable, and in a statement to the Sub-Committee the subject member had accepted that his tone had been unwise.

However, while the Sub-Committee agreed that the tone had been unwise, it was not satisfied that it rose to the level of a breach of the Code, though it considered that in order to rebuild a good working relationship between the Local Church Committee and the Parish Council it would be helpful if the subject member could reinforce his acceptance of his poor choice of words by providing a direct apology to the complainant.

The Sub Committee noted that, on 9 January 2018, the Parish Council had formally adopted a code of conduct. They also considered that some of the other concerns raised by the complainant regarding aspects of the administration of Parish Council business would be addressed by recruiting a clerk and by regularising the publication and public display of its minutes.

### **Decision**

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 26 June 2012, which came into effect on 1 July 2012 and after hearing from the Independent Person, the Review Sub-Committee has decided to take no further action.

(Duration of meeting: 9.40 - 10.40 am)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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