

Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: 4 November 2016

**Committee:
Standards Sub-Committee**

Date: Monday, 14 November 2016
Time: 11.00 am
Venue: Wilfred Owen Room, Shirehall, Abbey Foregate, Shrewsbury,
Shropshire, SY2 6ND

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Head of Legal and Democratic Services (Monitoring Officer)

Members of Standards Sub-Committee:

David Evans
Chris Mellings
Kevin Turley

Your Committee Officer is:

Jane Palmer

Tel: 01743 257712
Email: jane.palmer@shropshire.gov.uk

AGENDA

1 Election of Chairman

To elect a Chairman for the duration of the meeting.

2 Apologies for absence

To receive any apologies for absence.

3 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

4 Minutes (Pages 1 - 4)

To consider and approve as a correct record the Minutes of the Standards Sub-Committee meeting held on 20 November 2015.

5 Exclusion of the Public and Press

To resolve that, in accordance with the provisions of Schedule 12A of the Local Government Act 1972 and Paragraph 10.4.3 of the Council's Access to Information Rules, the public and press be excluded during consideration of the following item/s.

6 Code of Conduct Complaint (Pages 5 - 24)

To consider an exempt report relating to a Code of Conduct complaint.

Report of the Monitoring Officer is attached.

Contact: Claire Porter Tel: 01743 252763



Committee and Date

Standards Sub-Committee

14 November 2016

MINUTES OF THE STANDARDS SUB-COMMITTEE MEETING HELD ON 20 NOVEMBER 2015 9.30 - 10.00 AM

Responsible Officer: Sarah Townsend
Email: sarah.townsend@shropshire.gov.uk Tel: 01743 257721

Present

Councillors David Evans, Chris Mellings and Kevin Turley

13 Election of Chairman

RESOLVED:

That David Evans be appointed Chairman of the Standards Sub-Committee for the duration of the meeting.

14 Apologies for Absence

None received.

15 Disclosable Pecuniary Interests

Members of the Committee were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

16 Minutes

RESOLVED:

That the Minutes of the Standards Sub-Committee held on 30th July 2015 be approved and signed by the Chairman as a correct record.

17 Applications for Dispensation

Members of the Committee were informed that this item had been withdrawn.

18 Exclusion of Public and Press

RESOLVED:

That in accordance with the provisions of Schedule 12A, Local Government Act 1972 and paragraph 10.4(1) of the Council's Access to Information Procedure Rules, the public and press be excluded during consideration of the following item.

19 Code of Conduct Complaint

Members considered the report of the Monitoring Officer regarding the outcome of an investigation into allegations that Councillor Barrow had failed to comply with the Code of Conduct.

They had regard to the acceptance by Councillor Barrow of the findings that he had offended against the principles of Integrity, Honesty and Leadership set out in the Council's Code of Conduct and to his proposed apology which had been agreed with the Monitoring Officer in consultation with the Independent Person in the following terms:

"Councillor Keith Barrow apologises to the Council for failing to formally declare a conflict of interest when making a decision at ip&e Ltd.

An investigation into an allegation about the conduct of Councillor Keith Barrow has concluded that he failed to comply with the Code of Conduct of Shropshire Council by failing to formally disclose a conflict of interest at meetings of the Board of ip&e Ltd.

Councillor Barrow apologises to the Council for failing to disclose at those Board meetings his personal and business relationship with a director of the company eventually appointed as accountants and auditors of ip&e Ltd. Councillor Barrow accepts with hindsight that he should have formally disclosed the nature and extent of his interest at the meetings and confirms that he will attend training to make sure he is fully aware of his responsibilities on such matters under the Council's Code of Conduct and to ensure such oversight is avoided in the future.

Councillor Barrow would also like to add that he has resigned from his position as Director of ip&e Ltd in order to prevent any future risk of such conflicts of interests arising and because it is the right time for the appointment of a Chairman independent of the Council".

They noted also that the complainant considered the proposed apology to be an acceptable outcome.

Members expressed concern regarding the seriousness of the matters which were highlighted during the investigation. They considered that Councillor Barrow ought to have been aware of the need to disclose his interests in all matters whilst conducting the business of the authority.

In accordance with the Council's procedure for the resolution of findings of a failure to comply with the Code of Conduct, Members of the Sub-Committee were satisfied

that the proposed apology and commitment of Councillor Barrow to undertake training represented a reasonable outcome without the need to hold a formal hearing.

Members considered also that the public interest in maintaining the exemption of the report from public inspection was no longer greater than the public interest in publishing the report. This was considered to be of great importance in order to reassure the public that the matter had been the subject of a detailed and thorough investigation and that the process was open and transparent.

RESOLVED:

- (a) That the proposed apology from Councillor Barrow represented a reasonable outcome to the findings that he failed to comply with the Code of Conduct by failing to formally declare his relationship with DRE & Co when they were appointed as auditors to ip&e.

- (b) That the exempt papers be released into the public domain.

Signed (Chairman)

Date:

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Committee and date Council
2016

Item
Exempt

NOT FOR PUBLICATION BY VIRTUE OF CATEGORIES 1, 2 AND 3 OF PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972

CODE OF CONDUCT COMPLAINT – COUNCILLOR JOYCE BARROW

Responsible Officer Claire Porter

Email: claire.porter@shropshire.gov.uk

Tel: 01743352763

Fax:

1. Summary

- 1.1 Allegations have been received from Councillor Dave Tremellen and Mr Steven Mulloy who allege that Councillor Joyce Barrow has failed to comply with the code of conduct of Shropshire Council.
- 1.2 The Monitoring Officer has delegated authority to determine what, if any, action is appropriate in respect of complaints about councillors. She considers that it is not appropriate for her to make that decision on this occasion as the complaint relates to the Chairman of a Scrutiny Committee and member of the Standards Committee.

2. Recommendations

- 2.1 That the Standards Sub Committee considers what, if any, further action is appropriate in relation to allegation that Councillor Mrs Barrow has failed to comply with the code of conduct.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 The Localism Act 2011 places a requirement on Local Authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Failure to assess the complaint appropriately risks damaging the reputation of the authority.

4. Financial Implications

- 4.1 In the event that further action is considered appropriate, costs may involve officer time and /or the costs of external consultants.

5. Allegation from Councillor Dave Tremellen

- 5.1 It is alleged by Councillor Dave Tremellen that Councillor Mrs Barrow has failed to comply with the code of conduct of Shropshire Council.
- 5.2 He alleges that, As Local Member for the St.Oswalds Division of Shropshire Council, Councillor Mrs Barrow compromised her position as a member of the North Planning Committee by failing to report breaches of planning law on the part of the British Ironwork Centre, Oswestry.
- 5.3 He alleges that Councillor Mrs Barrow will have been aware of unauthorised development which had been carried out at the British Ironworks Centre which as she was a visitor to the site, a personal friend of the owner and a member of the North Planning Committee. Her failure to report the unauthorised development is alleged to have compromised both her own integrity as an elected member of a public body and encouraged Mr Knowles in the pursuit of his breach
- 5.4 A Copy of the complaint that has been received from Councillor Tremellen is attached to this report marked "5.4"
- 5.5 A response to the allegation has been received from Councillor Mrs Barrow and is attached as "5.5."

6 Allegation from Mr Steven Mulloy

- 6.1 It is alleged by Mr Steven Mulloy that Councillor Mrs Barrow has failed to comply with the code of conduct of Shropshire Council.
- 6.2 He alleges that Councillor Mrs Barrow has repeatedly failed to disclose the true nature of her interests in relation to the development of a particular area of land and has misrepresented her interests with planning officers.
- 6.3 A Copy of the complaint that has been received from Mr Mulloy is attached to this report marked "6.3."
- 6.4 A response to the allegation has been received from Councillor Mrs Barrow and is attached marked "6.4."
- 6.5 Details of interests declared by Councillor Mrs Barrow at the meetings referred to by Mr Mulloy are attached marked "6.5."

7 Further Information

- 7.1 The Code of Conduct is reproduced as follows:

"You are a member or co-opted member of the Shropshire Council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted

member –

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any private interests, both pecuniary and non-pecuniary, including your membership of any Trade Union, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.”

- 7.2 Councillors are required by the code of conduct to disclose their interests at meetings of their authority. It is noted that Councillor Mrs Barrow is not a member of the Oswestry Rural Parish Council and is therefore not required to disclose her interests at its meetings. She appears to have acted appropriately at meetings of Shropshire Council and has alerted officers by e-mail to her interest in the site at Kingfisher way.
- 7.3 The owner of the British Ironworks Centre, who is known to be a close friend of Councillor Mrs Barrow, has stated in the press that he knowingly carried out development which had not been permitted. Councillor Mrs Barrow has responded to the allegation clearly confirming that she had no knowledge of the planning breaches.

- 7.4 Members are requested to consider if it is in the public interest to refer either allegation to the Monitoring Officer for investigation.
- 7.5 The options available to the Sub Committee are as follows:
- 7.5.1 take no action in respect of the complaints or request further information; or
 - 7.5.2 refer either or both complaints to the Monitoring Officer for investigation or some other course of action.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Localism Act 2011

Arrangements for dealing with Standards Allegations under the Localism Act 2011

Shropshire Council Code of Conduct

Cabinet Member (Portfolio Holder)

Councillor Pate

Local Member

N/A

Appendices

Attached

Customer details

Family name	Tremellen
First name	David
Title	Other
Other Title	Councillor
Address	Flat 1, Old Colliery Station Road
Town	Highley
County or administrative area	Shropshire
Postcode	WV16 6NW
Country (if non UK)	
Work phone	07979 295387
Home phone	01746 861815
Mobile	07810 352274
Fax	
Email	dave.tremellen@shropshire.gov.uk
Preferred method of contact	Email

Details of the complaint

Please tell us which complainant type best describes you: An elected or co-opted member of an authority

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Family name	Barrow
First name	Joyce
Council or authority name	Shropshire Council

Please explain in this section what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done

As Local Member for the St.Oswalds Division of Shropshire Council, Councillor Barrow compromised her position as a member of the North Planning Committee by failing to report breaches of planning law on the part of the British Ironwork Centre, Oswestry.

that you believe breaches the Code of As a visitor to the site and a personal friend of Mr Clive

Details of the complaint

Conduct.

It is important that you provide all the information you wish to have taken into account by the Monitoring Officer when she decides whether to take any action on your complaint. For example:

- * You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- * You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- * You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- * You should provide any relevant evidence or background information.

Knowles, the owner of the British Ironwork Centre, Councillor Barrow will have been aware of developments at the British Ironwork Centre and, as a member of the North Planning Committee, will have known whether those developments were subject to Planning requirements and been aware of the absence of any application(s) pertaining to them.

By failing to advise Shropshire Council Planning department of these breaches of planning law, and failing to advise Mr Clive Knowles of his contravention(s) knowing him to be in breach, as witness Mr Knowles' admission of his deliberately contravening planning law, Councillor Barrow compromised both her own integrity as an elected member of a public body and encouraged Mr Knowles in the pursuit of his breach.

Please provide us with the details of your complaint:

Confidentiality

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that to do so would be contrary to the public interest or would prejudice an investigation.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Confidentiality

Do you wish to keep your identity confidential No

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

About this form

Issued by Shropshire Council
 Shirehall
 Abbey Foregate
 Shrewsbury
 SY2 6ND

Form reference 4014085

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CLLR JOYCE BARROW (Declarations of Interest)

Note: Cllr Joyce Barrow is the Shropshire Council member for St Oswald (Oswestry) which includes the village of Morda (Home of the infamous 'ransom-strip' owned by her husband et al). The local parish council is Oswestry Rural Parish Council (ORPC) which she regularly attends. Minutes of the parish council which involved consideration of development of land involving the 'ransom-strip' show that she failed to declare an interest at 3 of their meetings when she was required to do so:

28th Feb 2012 – Cllr J Barrow: **Declared an interest** in item 12.5 (Development for Weston Rd). Her husband has land in that area.

30th April 2013 – Cllr J Barrow: **No declaration**. Item 6.5 was Outline Application (13/01393/OUT) relating to the 'ransom-strip'.

25th June 2013 – Cllr J Barrow: **Apologies for absence**. Item 8.7 was 13/01393/OUT now described as 'Land at Kingfisher Way'.

4th November 2013 – Cllr Joyce Barrow made the following comment to the Council's planning case officer:

From: Joyce Barrow Sent: 04 November 2013 16:18 To: Mark Perry Cc: Claire Porter; Graham White Subject: Re: Kingfisher Way (13/01393/OUT) and off Old Mapsis Way (13/03846/OUT).

Dear Mark,

In regard to Kingfisher Way, I will make no comment because Keith has an interest in a company that owns land in the vicinity. To be absolutely clear, it is not the site that the application refers to but is land adjacent.

Kind regards Joyce

This was a misleading statement as the land owned by the company that Keith has an interest in formed part of the red-line boundary (the infamous Morda access strip) and therefore part of the development. This information supplied by Cllr J Barrow would have been relayed to the Chair of the North Planning Committee by the case officer. If the committee chairman had been aware of the true facts i.e. The leader of the council had a pecuniary interest in the application, then he may have decided it would not be appropriate for his committee to consider the application, or at the very least, he would have had to advise all members of the committee of that interest.

15th July 2014 - On the 15th July 2014 an application to develop **Brogyntyn Hall** (14/0318/FUL) was submitted on behalf of **J Ross Developments Ltd** with an approval decision notice dated 17th June 2015. The application went before the North Planning Committee on the 16th December 2014 on which **Cllr Joyce Barrow** sits. **No members declared an interest** on this application at the meeting.

21st Oct 2014 - North Planning Committee – Cllr J Barrow: **Declared an interest** on 13/01393/OUT and left the room. (Wording of minutes: "Councillor Joyce Barrow declared that she would leave the room prior to consideration of planning application 13/01393/OUT due to a disclosable pecuniary interest")

24th March 2015 – Cllr J Barrow: **Apologies for absence**. Item 6.11 was an application to vary (14/05461/VAR) so that access to the development (13/01393/OUT) would not need to use the 'ransom-strip'. The minutes state that this application was refused on the day of the meeting by Shropshire Council. This was the North Planning Committee of 17th March 2015 and Cllr J Barrow declared an interest in this application and left the room. The minutes record: "Councillor Joyce Barrow declared her interest in planning application 14/05461/VAR due to a **perceived** disclosable pecuniary interest and left the room during consideration of and voting on this item".

24th Nov 2015 – Cllr J Barrow: **No declaration**. Item 83/15(b)(xi) was a reserved matters application (15/04690/REM) for the development of Land East of Kingfisher Way involving the 'ransom-strip'.

15th Dec 2015 – Cllr J Barrow: **No declaration**. Item 101/15(b)(ii) was the reserved matters application 15/04690/REM involving the 'ransom-strip'.

Cllr Joyce Barrow Register of Interests:

1st June 2009 (?) – Strip of Land at Morda registered.

9th July 2012 – Home address and 16b Bailey St registered (former carpet business) plus Husband director of Peakfast Ltd (Why the change when the land at Morda was not transferred to Peakfast Ltd until 13th July 2015 (SL141700)? **Is it possible this was done to hide/disguise the interest in the planning application? Application (13/01393/OUT) submitted 13th April 2013. Protracted discussions**

would have taken place prior to that submission because of the number of landowners involved. Perhaps the applicant, Roy Hughes, could give some idea of when discussions to develop the land began?

6th Jan 2016 – Home address and Husband director of Peakfast Ltd. Strip of land at Morda now held by Peakfast Ltd. However, Cllr Barrow still needs to declare the nature of her, or husbands, interest at any meetings that involve this land.

The exact requirements for Members to declare interests are set out in the Part 5 of the Shropshire Council Constitution - Members' Code of Conduct. The land (ransom strip) was not entered on the Council's register of interest as it did not belong to Peakfast Ltd. Therefore the paragraph that is of particular relevance in this instance is on page E2 which says:

“If my disclosable pecuniary interest (which includes your own interest and that of your partner) is not entered in the Council's register of interests, I will disclose its existence and, unless it is a sensitive interest, its nature, to the meeting and will notify the Monitoring Officer of the interest within 28 days of the meeting. I will withdraw from the meeting room when the matter is being discussed and will not participate, or participate further, in any discussion of, or any vote taken on, the matter at the meeting.”

Clearly the email to the case officer of 4th November 2013 and the declarations made at the North Planning Committees of 21st October 2015 and 17th March 2015 do not satisfy the above requirement. The minutes do not record the 'nature' of the interest and we can assume that the Monitoring Officer was not informed of the interest within 28 days of the meeting as this has not been provided as supporting evidence. Because of the email of 4th November 2013, it is appropriate to refer to The General Role & Conduct of Councillors & Officers as set out in Part 5 (2) of the Council's Constitution which says at para 2.1 (page E17): ***“A successful relationship between councillors and officers can only be based upon mutual trust and understanding of each other's positions. This relationship, and the trust which underpins it, must never be abused or compromised.”***

I believe that the email of 4th November 2013 betrayed that trust.

Paragraph 2.3 says that of particular relevance to councillors serving on the Planning Committees is the requirement that a Member:

“must not use or attempt to use his position as a member improperly to confer on or secure for himself or any other person, an advantage or disadvantage;”

Clearly the issues that have come to light raise serious questions in this regard, and warrant far better explanation than has been provided so far.

Paragraph 8.1 says: “The conduct of any meeting where an application is considered is the overall responsibility of the chairman of that meeting. If the Chairman believes that a member is not observing the rules regarding declaration of interest, then he **may have to take action to ensure that Standing Orders are not breached.** In addition, individual councillors and officers have a responsibility for their own conduct and should not operate in such a way as to cause anyone present to think an application has not been treated properly.”

If the Chairman of the North Planning Committee had been informed of the true nature of the disclosable pecuniary interest, and not as testified in Cllr Joyce Barrow's email of 4th November 2013, then he could have ensured that the 'nature' of the interest was declared at the meeting as required by the members code of conduct (Part 5 of the Council's Constitution).

Paragraph 11.2 (Part 5(2) of the Council's Constitution) says: "One of the key purposes of the planning system is to manage development in the public interest. In performing this role, planning necessarily affects land and property interests, particularly the financial value of landholdings and the quality of their settings. It is important, therefore, that planning authorities should make planning decisions affecting these interests openly, impartially, with sound judgement and for justifiable reasons. **The process should leave no grounds for suggesting that a decision has been partial, biased or ill-founded.**"

Regretfully the actions, or inactions, by some involved in the application(s) have left grounds to suggest that the decision has been partial, biased or ill-founded, and this is the reason that these concerns have been raised.

I therefore respectfully request that now that the police have concluded their investigation that this matter is investigated by the Monitoring Officer and referred to Shropshire Council's Standards Sub Committee for consideration.

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<p>28th Feb 2012 – Cllr J Barrow: <i>Declared an interest in item 12.5 (Development for Weston Rd). Her husband has land in that area</i></p>	<p>No SC Meeting</p>	<p>Online records don't go back that far</p>
<p>30th April 2013 – Cllr J Barrow: No declaration. <i>Item 6.5 was Outline Application (13/01393/OUT) relating to the 'ransom-strip'.</i></p>	<p>13/01393 not included in the agenda for this meeting</p>	<p>Online records don't go back that far Parish Council representations received 02 May 2013. "Item 6.5" is not a reference used in SC agenda – assume that this refers to a meeting of the Parish Council – no requirement to disclose interests.</p>
<p>25th June 2013 – Cllr J Barrow: <i>Apologies for absence.</i> Item 8.7 was 13/01393/OUT now described as 'Land at Kingfisher Way'.</p>	<p>13/01393 not included in the agenda for this meeting</p>	<p>Records don't go back that far Parish Council representations received 26 June 2013. "Item 8.7" is not a reference used in SC agenda – assume that this refers to a meeting of the Parish Council – no requirement to disclose interests.</p>
<p>4th November 2013 – Cllr Joyce Barrow made the following comment to the Council's planning case officer:</p>		
<p>15th July 2014 - On the 15th July 2014 an application to develop Brogyntyn Hall (14/0318/FUL) was submitted on behalf of J Ross Developments Ltd with an approval decision notice dated 17th June 2015. The application went before the North Planning Committee on the 16th December 2014 on which Cllr Joyce Barrow sits. No members declared an interest on this application at the meeting.</p>	<p>16 December 2014 - At this meeting, the minutes of the meeting which had been held on the 24th of November 2014 and which included consideration of the Brogyntyn Hall application were confirmed. No interest was declared. Mr Mulloy has not indicated what the interest is that she is alleged to have had.</p>	<p>No Parish Council Meeting</p>

<p>21st Oct 2014 - North Planning Committee – Cllr J Barrow: Declared an interest on 13/01393/OUT and left the room. (Wording of minutes: “Councillor Joyce Barrow declared that she would leave the room prior to consideration of planning application 13/01393/OUT due to a disclosable pecuniary interest”)</p>	<p>21 October 2014 – The minutes of the meeting held on the 23rd of September and then reconvened on the 1st of October at which the Kingfisher Way application were considered. A Councillor with a disclosable pecuniary interest is not required to disclose at the meeting the nature of the interest if they believe that the interest has been accurately included in the register of interests. They are not permitted to take part in the debate or vote on the application. The code of conduct indicates that they should also leave the room. At the meeting held on the 1st of October 2014, she complied in this respect.</p>	
<p>17th March 2015</p>	<p>North Planning Committee, Councillor Mrs Barrow took no part in the debate or voting on the application and left the room as would be expected of her.</p>	
<p>24th March 2015 – Cllr J Barrow: Apologies for absence. Item 6.11 was an application to vary (14/05461/VAR) so that access to the development (13/01393/OUT) would not need to use the ‘ransom-strip’. The minutes state that this application was refused on the day of the meeting by Shropshire Council. This was the North Planning Committee of 17th March 2015 and Cllr J Barrow declared an interest in this application and left the room. The minutes record: “Councillor Joyce Barrow declared her interest in planning application 14/05461/VAR due to a perceived disclosable pecuniary interest and left the room during</p>		<p>24 March 2015 - This was a meeting of the Parish Council of which Councillor Mrs Barrow was not a member and at which she was not required to declare her interests.</p>

<i>consideration of and voting on this item”.</i>		
<u>21st October 2015</u>	No meeting – Suspect that reference to this date should be to the meeting held on 21 October 2014	No meeting
<u>24th Nov 2015 – Cllr J Barrow: <i>No declaration.</i> Item 83/15(b)(xi) was a reserved matters application (15/04690/REM) for the development of Land East of Kingfisher Way involving the ‘ransom-strip’.</u>		This was a meeting of the Parish Council of which Councillor Mrs Barrow was not a member and at which she was not required to declare her interests.
<u>15th Dec 2015 – Cllr J Barrow: <i>No declaration.</i> Item 101/15(b)(ii) was the reserved matters application 15/04690/REM involving the ‘ransom-strip’.</u>		This was a meeting of the Parish Council of which Councillor Mrs Barrow was not a member and at which she was not required to declare her interests

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From: Joyce Barrow
Sent: 21 September 2016 11:59
To: Graham White
Subject: Re: Code of Conduct Complaint

I have no idea in what way the complainant thinks I have broken the code of conduct.

I was unaware of any planning issue until I read about it in the press.

Kind regards
Joyce

Sent from my iPad

On 21 Sep 2016, at 11:34, Graham White
<graham.white@shropshire.gov.uk> wrote:
Joyce,

The complainant has not indicated which paragraph of the code of conduct he thinks is relevant - you have been provided with all the information that has been received. In the event that it is referred for an investigation, the investigating officer will narrow it down to the paragraphs that he or she considers to be relevant and will focus their investigation accordingly.

Graham White
Solicitor
Legal and Democratic Services
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

01743 252757
graham.white@shropshire.gov.uk
www.shropshire.gov.uk

From: Joyce Barrow
Sent: 20 September 2016 16:53
To: Graham White <graham.white@shropshire.gov.uk>
Subject: Re: Code of Conduct Complaint

Dear Graham

I have read the complaint and would be grateful if you would let me know which specific part of the Code of Conduct I am accused of breaching please as, having read the complaint and the Code, I fail to see where any breach might have occurred.

Kind regards

Joyce

Sent from my iPad

On 20 Sep 2016, at 11:33, Graham White
<graham.white@shropshire.gov.uk> wrote:
Dear Councillor Mrs Barrow,

I am writing to tell you that an allegation that you have failed, or may have failed, to comply with the Code of Conduct of Shropshire Council has been received from Councillor Dave Tremellen.

It is alleged as follows:

"As Local Member for the St.Oswalds Division of Shropshire Council, Councillor Barrow compromised her position as a member of the North Planning Committee by failing to report breaches of planning law on the part of the British Ironwork Centre, Oswestry.

As a visitor to the site and a personal friend of Mr Clive Knowles, the owner of the British Ironwork Centre, Councillor Barrow will have been aware of developments at the British Ironwork Centre and, as a member of the North Planning Committee, will have known whether those developments were subject to Planning requirements and been aware of the absence of any application(s) pertaining to them.

By failing to advise Shropshire Council Planning department of these breaches of planning law, and failing to advise Mr Clive Knowles of his contravention(s) knowing him to be in breach, as witness Mr Knowles' admission of his deliberately contravening planning law, Councillor Barrow compromised both her own integrity as an elected member of a public body and encouraged Mr Knowles in the pursuit of his breach."

Any comments that you wish to make in relation to the allegation must be made in writing as soon as possible and will be taken into account when consideration is given to

what, if any, further action is appropriate. At this stage all that will happen is that the allegation will be considered based solely on the information provided by you and the complainant along with any relevant information readily available such as minutes of Council meetings.

Once a decision has been made you and the complainant will be told about the outcome and what will happen next.

At this stage you are advised not to contact anyone else as this could compromise you or the fairness of the process. However you may wish to seek some independent advice on this. You should also be aware that any written request for information made to the Authority about this matter will have to be dealt with in accordance with the requirements of the law. This includes any obligations imposed on the Authority under the Data Protection Act 1998, the Freedom of Information Act 2000 and the Human Rights Act 1998. If any request for information is received before the allegation is considered you will be contacted where it is considered appropriate or necessary to do so.

Please click on member complaints to find the procedure operated by Shropshire Council and if you have any queries about the process, please contact me

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