

Date: Friday, 20 April 2018

Time: 2.00 pm

Venue: Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire,
SY2 6ND

Contact: Tim Ward,
Tel: 01743 257721
Email: sarah.townsend@shropshire.gov.uk

STANDARDS SUB-COMMITTEE

TO FOLLOW REPORT (S)

4 Minutes (Pages 1 - 8)

To confirm the Minutes of the Meetings held on 17th July 2017, 20th October 2017 and 1st December 2017.

Reports are **to follow** marked 4.

Contact: Sarah Townsend (01743 257721)

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Committee and Date

Standards Sub-Committee

20 April 2018

**MINUTES OF THE STANDARDS SUB-COMMITTEE MEETING HELD ON 17 JULY 2017
10.00 - 10.25 AM**

Responsible Officer: Jane Palmer
Email: jane.palmer@shropshire.gov.uk Tel: 01743 257712

Present

Councillors David Evans, Dean Carroll and Tony Parsons

1 Election of Chairman

RESOLVED:

That Councillor Tony Parsons be appointed as Chairman of the Standards Sub-Committee for the duration of this meeting.

2 Apologies for Absence

None received.

3 Disclosable Pecuniary Interests

Members 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.

Councillor Dean Carroll stated for the record that he had been a member of Shrewsbury Town Council during the period 2009-13.

4 Minutes

RESOLVED:

That the Minutes of the Standards Sub-Committee meeting held on 14 November 2016 be approved as a correct record and signed by the Chairman.

5 Exclusion of the Public and Press

RESOLVED:

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

6 Code of Conduct Complaint

Members considered the report of the Monitoring Officer regarding allegations that a Councillor had failed to comply with the Code of Conduct of Shropshire Council. Despite having all the papers before them relating to allegations 1 and 2, Members noted that allegation 1 had been referred in its entirety to the Police.

Members noted that the purpose of the meeting was to consider whether i) no action be taken, ii) further information be requested or iii) whether the case should be referred to the Monitoring Officer for further investigation or some other course of action.

Having considered the evidence, Members agreed that the Councillor had acted in accordance with the Code of Conduct and that no further action should be taken.

RESOLVED:

- i) That no further action be taken on this matter; and
- ii) That, given the referral of allegation 1 to the Police, the papers considered at the Sub-Committee meeting remain exempt at this time.

Signed (Chairman)

Date:



Committee and Date

Standards Sub-Committee

20th April 2018

Item

4

Public

MINUTES OF THE STANDARDS SUB-COMMITTEE MEETING HELD ON 20 OCTOBER 2017

11.00 AM - 11.35 AM

Responsible Officer: Tim Ward

Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillors Dean Carroll, Chris Mellings and Brian Williams

1 Election of Chairman

1.1 Resolved:

That Councillor Chris Mellings be elected Chairman of the Standards Sub-Committee for the duration of the meeting.

2 Apologies for Absence

2.1 There were no apologies for absence.

3 Disclosable Pecuniary Interests

3.1 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.

4 Exclusion of the Public and Press

4.1 Resolved:

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.

5 Code of Conduct Complaint

- 5.1 Members considered the report of the Deputy Monitoring Officer regarding allegations that a Councillor had failed to comply with the Code of Conduct of Shropshire Council.
- 5.2 The Deputy Monitoring Officer reminded Members that the purpose of the meeting was not to consider the merits of the case but to consider whether the case should be referred for further investigation.
- 5.3 In response to a query the Deputy Monitoring Officer confirmed that The Monitoring Officer had delegated authority to determine what, if any, action is appropriate in respect of complaints about Councillors, and that he had delegated powers to deal with allegations where the Monitoring Officer is unable to do so due to her involvement. The Deputy Monitoring Officer informed Members that, due to the status of the Councillor complained about, he had felt that it was inappropriate for him to make this decision and that this was the reason the meeting had been convened.
- 5.4 After further discussion it was **Resolved:**

That the complaint be referred to the Deputy Monitoring Officer for further investigation.

Signed (Chairman)

Date:



Committee and Date

Standards Sub-Committee

20th April 2018

Item

4

Public

**MINUTES OF THE STANDARDS SUB-COMMITTEE MEETING HELD ON 1
DECEMBER 2017
11.23 AM - 11.51 AM**

Responsible Officer: Sarah Townsend

Email: sarah.townsend@shropshire.gov.uk Tel: 01743 257721

Present

Councillors David Evans, Tony Parsons and Kevin Turley

1 Election of Chairman

RESOLVED:

That Kevin Turley be appointed Chairman of the Standards Sub-Committee for the duration of the meeting.

2 Apologies for Absence

None received.

3 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.

4 Exclusion of the Public and Press

RESOLVED:

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 items.

5 Code of Conduct Complaints

Agenda Item 5A

Consideration was given to an exempt report of the Monitoring Officer in relation to an allegation that a Shropshire Councillor had failed to comply with the Code of Conduct of Shropshire Council.

The Solicitor presented the report to the Sub-Committee, providing information in relation to the complaint and outlined the options available to the Sub-Committee.

The Sub-Committee Members had regard to the representations made by the Councillor in response to the allegation.

RESOLVED:

- (i) The Standards Sub-Committee did not consider that further action was justified in this instance.
- (ii) That the Monitoring Officer be asked to consider reminding all Members of the need to declare any pecuniary interests that they might have, even if they are a 'grey area'.

REASONS:

Members of the Standards Sub-Committee were of the opinion that the allegations related to meetings that took place so long ago, that there was little benefit in referring the matter for an investigation now.

Additionally, they did not consider that there was any evidence to suggest that the Councillor in question had been involved in the making of any decision in relation to the interest referred to. They noted that all decisions had been taken by Officers acting under delegated authority and reported to the Committee for information, by Members of the Committee in the absence of the Councillor in question, or were referred to the Cabinet for determination.

Members of the Standards Sub-Committee noted that the Localism Act required Members to disclose their pecuniary interests to the Monitoring Officer and that the Councillor in question had asked that their interest be recorded in the register of Disclosable Interests shortly after the matter had been raised in a meeting of the Council. Members did not consider that it would be in the public interest to refer the matter for an investigation as the likely outcome, if it was found that the interest was one that should have been disclosed, would be that no sanction was required as the interest had been declared.

Agenda Item 5B

Consideration was given to an exempt report of the Monitoring Officer in relation to an allegation that a Shropshire Councillor had failed to comply with the Code of Conduct of Shropshire Council.

The Solicitor presented the report to the Sub-Committee, providing information in relation to the complaint and outlined the options available to the Sub-Committee.

The Sub-Committee Members had regard to the representations made by the Councillor in response to the allegation.

RESOLVED:

- (i) The Standards Sub-Committee did not consider that further action was justified in this instance.

REASONS:

Having considered the allegation, Members of the Standards Sub-Committee were concerned that the complaint appeared to have been vexatious. They considered that there was no evidence to support the allegation that the attendance of the Councillor in question at the event referred to might amount to a failure to comply with the Code of Conduct.

It was noted that the Monitoring Officer had delegated authority to determine what, if any, action is appropriate in respect of complaints about Councillors. Members of the Standards Sub-Committee indicated that they were happy for her to deal with vexatious complaints without the need to involve them. However, they acknowledged and understood the reasons as to why she considered that it was not appropriate for her to make that decision on this occasion.

Signed (Chairman)

Date:

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