



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Standards Committee

Date: **Thursday 26 February 2015**

Time: **4.30 pm**

Place: **Committee Room**

For any further information please contact:

Helen Barrington

Council Solicitor and Monitoring Officer

0115 901 3901

Standards Committee

Membership

Chair Councillor Peter Barnes

Vice-Chair Councillor John Boot

Councillor Tony Gillam
Councillor Paul Hughes
Councillor Michael Payne
Councillor Suzanne Prew-Smith
Mr. D. Evans
Mr. G. Parkinson
Mr. G. Wallis

AGENDA

Page

- | | | |
|----------|--|--------------|
| 1 | Apologies for Absence and Substitutions. | |
| 2 | Declaration of Interests. | |
| 3 | To approve, as a correct record, the minutes of the meeting held on 28 August 2014. | 1 - 2 |
| 4 | Arrangements following the May 2015 elections. | 3 - 4 |
| | Report of the Council Solicitor and Monitoring Officer. | |
| 5 | Code of Conduct Complaints. | 5 - 8 |
| | Report of the Council Solicitor and Monitoring Officer. | |
| 6 | Any other item which the Chair considers urgent. | |

This page is intentionally left blank

MINUTES STANDARDS COMMITTEE

Thursday 28 August 2014

Councillor Peter Barnes (Chair)

Councillor John Boot	Mr. D. Evans
Councillor Tony Gillam	Mr. G. Parkinson
Councillor Paul Hughes	Mr. G. Wallis
Councillor Michael Payne	Mr J. R. Baggaley
Councillor Suzanne Prew-Smith	

Officers in Attendance: F Whyley

16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

None.

17 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 DECEMBER 2013.

Following Councillor Gordon Tunnicliffe's recent resignation, Members asked that a letter be sent thanking him for his service to the Committee.

Mr Baggaley requested that his attendance at Standards Committee as the Independent Person be noted in the minutes of forthcoming meetings.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

18 DECLARATION OF INTERESTS.

Councillor Barnes declared a non-pecuniary interest in agenda item 4.

19 CODE OF CONDUCT COMPLAINTS

Consideration was given to a report of the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, informing members of the Standards Committee of complaints received under the new standards regime between 1 November 2013 and 31 July 2014.

RESOLVED:

To note the report.

20 APPOINTMENT OF RESERVE INDEPENDENT PERSON

Consideration was given to a report of the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, updating the Committee on the current position regarding the recruitment of the reserve Independent Person.

RESOLVED:

To note the report.

21 GIFTS AND HOSPITALITY 2013/14

Consideration was given to a report of the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, informing members of the Standards Committee of gifts and hospitality received between 1 April 2013 and 31 March 2014.

RESOLVED:

To note the report.

22 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 4.50 pm

Signed by Chair:
Date:



Report to Standards Committee

Subject: Arrangements following the May 2015 elections

Date: 26 February 2015

Author: Council Solicitor and Monitoring Officer

1. Purpose of the Report

To inform Members of the Standards Committee of proposals with regard to arrangements following the May 2015 election and seek comments.

2. Background

Induction of new Members

- 2.1 Members will recall that the Localism Act obliges Members and co-opted Members to notify the Council's Monitoring Officer within 28 days of their election of any disclosable pecuniary interests (DPIs) which they have at the time when the notification is given. The Council's approved Code of Conduct goes further than this and requires new Members and co-opted Members to register details of all DPIs and non-pecuniary interests they have within 28 days of their election or appointment by providing written notification to the Council's Monitoring Officer.
- 2.2 Immediately following the election to the Borough Council all new Members will be provided with an Induction Pack which includes a Register of Members' Interests form for them to complete and return.
- 2.3 In addition, a copy of the Code of Conduct will be provided to all Members following the election and, as part of the Induction Programme, a training session on the standards regime and Code of Conduct will be delivered in May 2015.

Standards Committee work programme

- 2.4 In July 2015 it will be 3 years since the introduction of the new standards regime under the Localism Act 2011, including the approval of the current Code of Conduct, arrangements for dealing with complaints and composition of the Standards Committee. The Committee is therefore asked to consider whether it is an appropriate time to review those arrangements as part of a formal work programme for 2015/16.

3. Proposal

It is proposed that the Committee notes the report and provides comments on the proposals for the induction of new members and Standards Committee work programme.

4. Resource Implications

None.

5. Recommendation

It is recommended that the Committee notes the report and provides comments on the proposals for the induction of new members and Standards Committee work programme.

6. Appendices

None.



Report to Standards Committee

Subject: Code of Conduct Complaints

Date: 26 February 2015

Author: Council Solicitor and Monitoring Officer

1. Purpose of the Report

To inform Members of the Standards Committee of complaints received between 1 August 2014 and 31 January 2015.

2. Background

- 2.1 Members of the Standards Committee will recall that at the time of the last committee meeting, a complaint about a Parish Councillor was pending. That complaint was received in July 2014 and determined in August 2014. A summary of the complaint is attached at Appendix 1.
- 2.2 Since 1 August 2014, the Monitoring Officer has not received any complaints alleging a breach of the Code of Conduct by either Borough or Parish Councillors. There are no complaints pending.

3. Proposal

It is proposed that the Committee notes the report.

4. Resource Implications

None.

5. Recommendation

It is recommended that the Committee notes the report.

6. Appendices

Appendix 1 – Summary of the Code of Conduct complaints.

APPENDIX 1

Reference: S589/14/04

The complaint was made about Councillor Richard Whincup a Woodborough Parish Councillor by a member of the public.

The complainant complains about the behaviour of the Councillor Whincup, Chairman of Woodborough Parish Council, at the parish council meeting held the evening of Monday, 14th July 2014. A summary of the complaint is as follows:

Following a public session, the Parish Council commenced their meeting with no further questions from the floor being allowed. Mr. M who made a presentation during the open session was asked if he would like to make any further points. He was allowed to do so by Councillor Whincup, against protocol as the Parish were now within their meeting.

The complainant thought he was now permitted to speak, as Mr. M had been. The complainant congratulated Mr. M on his proposal. He then suggested that as not all the flood waters in the village came from the area of the proposed wetland and before Parish Funding was committed to this scheme advice should be sought for other remedies particularly as the Sick Dyke was known to be part of the trouble.

At this point Councillor Whincup slammed his fist onto the table in a threatening and aggressive manner making everyone in the room to literally 'jump'. He then proceeded to shout he had had enough of the complainant and his daughter over the last two years' before continuing 'and that son of yours' (who was not present at the meeting). Councillor Whincup exclaimed that that the complainant's questions about the scheme were personal when in fact it was his behaviour towards the complainant and his daughter which was a personal attack.

Councillor Whincup's account of the incident is slightly different to that of the complainant, although he does agree that he did raise his voice and slap the table with an open palm. He accepts that his outburst could amount to a breach of the code, but believes that the reaction was out of character. He also considers the outburst to be as a result of provocation particularly as the complainant has a history of complaining to and about the Parish Council and has made personal comments about Councillor Whincup and his wife's involvement in the Woodborough wind turbine planning application.

The Clerk's notes do state that Councillor Whincup thumped the table and said that he'd had enough of the complainant's family.

After consultation with the Independent Person, the Monitoring Officer decided that this was an appropriate case, to seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution involved Councillor Whincup accepting that his conduct was unacceptable and offering a meaningful apology to the

complainant for his actions at the meeting on 14 July 2014. Councillor Whincup agreed to offer an apology in order to resolve the complaint and the apology was given before opening the Parish Council meeting on 1 September 2014.

In reaching this decision the Monitoring Officer found that there is a potential breach of the Code of Conduct in relation to the following paragraphs of Woodborough Parish Council's Code of Conduct:

- failure to treat others with respect
- conducting yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute

but no breach of the following paragraph of the Code of Conduct:

- bullying any person

The complaint was resolved informally on the basis that it disclosed a potential breach of the Code, it is not serious enough to merit an investigation in circumstances where the resources needed to investigate are wholly disproportionate to the allegations and there is no overriding public interest in carrying out an investigation.

This page is intentionally left blank