

# **BATH AND NORTH EAST SOMERSET**

## **STANDARDS COMMITTEE**

### **MINUTES OF THE MEETING OF TUESDAY, 22ND FEBRUARY, 2022**

PRESENT:-

**Independent Members:** Dr Axel Palmer and Dr Cyril Davies

**Parish Representatives:** Kathy Thomas

**Bath and North East Somerset Councillors:** Sally Davis, Duncan Hounsell, Michelle O'Doherty, June Player and Rob Appleyard

**Officers:** Michael Hewitt (Head of Legal and Democratic Services and Monitoring Officer), Shaine Lewis (Legal Services Manager & Deputy Monitoring Officer) and Enfys Hughes (Democratic Services Officer)

**Independent Person:** Tony Drew

#### **14 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting. As this meeting would consider a local hearing on an investigation into a complaint, he explained that there were five BANES councillors on the Committee who were able to vote. There were two independent members of the Committee as well as the independent person, a statutory role. There was also a parish councillor on the Committee as the complaint was a parish matter.

#### **15 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure as set out on the agenda.

#### **16 APOLOGIES FOR ABSENCE AND SUBSTITUTION**

Apologies were received from Councillor Paul Crossley, Councillor Rob Appleyard was his substitute.

#### **17 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **18 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was no urgent business.

#### **19 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS (COMPLAINTS MUST GO THROUGH THE STANDARDS COMPLAINTS PROCEDURE)**

There were no items.

**20 ITEMS FROM COUNCILLORS AND CO-OPTED AND ADDED MEMBERS RELATING TO THE GENERAL BUSINESS OF THE COMMITTEE**

The Chair informed the Committee that Deborah Russell, independent member on the Committee, had resigned. He commented that Deborah had been on the Committee for a long time and thanked her for her service and commitment. He would write a letter of thanks to her.

**21 MINUTES OF THE MEETING OF 12TH OCTOBER 2022**

**RESOLVED** that the minutes of 12<sup>th</sup> October 2021 were approved as a correct record and signed by the Chair.

**22 EXCLUSION OF THE PUBLIC**

The Chair asked the Investigator Shaine Lewis and Subject Member Parish Councillor Liz Richardson if they had any representations about the exclusion of the public. It was confirmed there were no representations.

The members of the Committee agreed that they were satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972. It was accordingly

**RESOLVED** that the public should be excluded from the meeting for the following item(s) of business and the reporting of the meeting be prevented under Section 100A(5A), because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

**23 LOCAL HEARING ON INVESTIGATION INTO COMPLAINT 12-21 STANTON DREW PARISH COUNCIL**

The Investigator Shaine Lewis and Subject Member Parish Councillor Liz Richardson were present. The Complainant was not present.

The Monitoring Officer presented the report. He explained to all parties that it was hoped there would be a consensus decision. Following consideration of the complaint there would be an indicative vote with all members of the Committee, then for the formal decision Councillor Duncan Hounsell would take over as Chair for the formal vote.

He went on to explain the procedure for the meeting which was included in the report.

Following careful consideration of all the facts in the Investigating Officer's report, the representations from relevant parties made at the meeting and including an independent view provided from the Independent Person which was taken into consideration by the Committee before it made its decision. On a motion by Councillor Rob Appleyard, seconded by Councillor Michelle O'Doherty, the Committee

**RESOLVED** that there had been a breach of the Stanton Drew Parish Council Code of Conduct as set out below; (All agreed)

Councillor Richardson, by an e-mail dated 1 June 2021 (the e-mail), treated an employee of Bath & North East Somerset Council in such a way that a reasonable person would regard it as disrespectful (paragraph 1) and improperly conferred a disadvantage (paragraph 3). Article 10 rights were not engaged.

The Committee then decided on an appropriate sanction and, following careful consideration, further

**RESOLVED** that the Standards Committee recommend to the Parish Council that Cllr Richardson be required to make an apology to the complainant and the original recipients of the e-mail and in the absence of evidence that the apology was made, consider her removal as chair of the Parish Council at its subsequent meeting, within 28 days. (All agreed)

In bringing the meeting to a close, the Chair thanked the Investigating Officer, Shaine Lewis, for his clear report and the Committee for their careful consideration.

The meeting ended at 4.45 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**