

Cherwell District Council

Standards Assessment Sub-Committee

Minutes of a meeting of the Standards Assessment Sub-Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 25 February 2010 at 5.00 pm

Present:

Jim McBeth
Councillor John Coley
Councillor James Macnamara

Officers: Pam Wilkinson, Principal Solicitor
Natasha Clark, Trainee Democratic and Scrutiny Officer

3

Review of Complaint

Summary of Complaint

The Assessment Sub-Committee considered a request submitted by Mr Stafford Allen to review the decision of the Standards Assessment Sub-Committee of 26 November 2009 concerning the alleged conduct of Councillor Hicks, a member of Weston on the Green Parish Council. The complaint is summarised below:-

The complaint alleges that Councillor Hicks had failed to observe the Parish Council's Code of Conduct by abusing his position as a Councillor by displaying a letter on a public notice board.

The Main Points Considered by the Sub-Committee

The Sub-Committee in considering the complaint had regard to:-

- (1) A copy of the letter requesting a review of the assessment subcommittee decision
- (2) A copy of the decision notice following the meeting of the assessment subcommittee held on 26 November 2009.
- (3) A copy of the original complaint letter submitted
- (4) A copy of the letter posted on the notice board
- (5) A copy of a letter from Cllr Hicks to the original assessment committee which was considered at the 26 November meeting

- (6) A copy of a letter for the Clerk to Weston on the Green Parish Council to the original assessment committee which was considered at the 26 November meeting
- (7) The approved Assessment Criteria
- (8) Section 2 of "The Code of Conduct Guide for members May 2007" which sets out matters relating to general obligations under the Code together with a copy of "The Ten General Principles of Public Life" which forms Table 1 of the Guide

The Assessment Sub-Committee confirmed, based on the Assessment Criteria, that the complaint fell within its remit and that one of the following initial assessment decisions could be made;

- (1) to refer the complaint to the Monitoring Officer for local investigation;
- (2) to ask the Monitoring Officer to consider alternative action;
- (3) to refer the complaint to the Standards Board;
- (4) to take no action.

The main points arising from the complaint were:-

Conclusions

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the assessment sub-committee of the standards committee decided to take no further action.

The language used by Councillor Hicks in the third paragraph of the letter was considered to be unreasonable and a personal attack, therefore a breach of the code of conduct. However, the assessment sub-committee felt that the subject of the complaint was not sufficiently serious to warrant further action.

The Reasons

The reasons for the Sub-Committee's conclusions were:-

that the subject of the complaint was not sufficiently serious to warrant further action.

The meeting ended at 5.30 pm

Chairman:

Date: