

Agenda Item: 1

NORTH CORNWALL DISTRICT COUNCIL

MINUTES of the meeting of the **STANDARDS SUB COMMITTEE** held at the Council Chamber, College Road, Camelford on Tuesday 8 January 2008 at 10.00 am.

PRESENT Mr C B Spencer (Chairman)

Group Captain A V Ades (Vice-Chairman)

Councillor E T Denholm OBE DL

Mr C H White (Parish Representative), Ms S A Meads (Parish Representative)

Councillor C Vulliamy (The Member)

IN ATTENDANCE

Head of Legal Services and Monitoring Officer, Committee Officer

STSC/07/17 CONFIRMATION OF MINUTES

RESOLVED THAT the minutes of the meeting of the Standards Sub-Committee held on 14 December 2007 be confirmed as a correct record and signed by the Chairman.

STSC/07/18 APOLOGIES FOR ABSENCE

The Chairman advised that no apologies for absence had been received.

STSC/07/19 TO CONSIDER A COMPLAINT TO THE STANDARDS BOARD

FOR ENGLAND – SBE 19350.07

The Sub-Committee considered the report of the Investigating Officer relating to a case received from the Standards Board for local determination by the Standards Sub-Committee.

The Standards Sub-Committee were invited to consider an allegation in relation to a breach of the Code of Conduct adopted by Stoke Climsland Parish Council in 2002 by Councillor C Vulliamy, namely :-

- Allegation - That Councillor Caroline Vulliamy failed to declare a Personal Interest or a Prejudicial Interest upon the consideration of the Item, failed to withdraw from the meeting and sought improperly to influence a decision about the matter

The Member, Mr M Pearce (Investigating Officer) and interested parties were in attendance. The Member confirmed that she was satisfied that the hearing could be conducted with the press and public present.

The Chairman advised that the hearing would be conducted in accordance with the adopted procedure and in accordance with the Human Rights Act.

The Sub-Committee considered the papers in connection with the allegation, including the Report of the Investigating Officer and the response of the Member and proceeded to deal with the matter.

The Sub-Committee dealt first with the facts, followed by the disputed facts inviting both the Investigating Officer and the Member to present their cases.

Councillor P Matthews was called as a witness by the Investigating Officer and questioned by the Chairman and the Member.

Mr D West was called as a witness by the Investigating Officer and questioned by the Chairman and the Member.

Mrs S West was called as a witness by the Investigating Officer and questioned by the Chairman and the Member. Copies of Mrs West's notes made at the meeting and immediately afterwards were circulated at the meeting.

Councillor M Cox was called as a witness by the Investigating Officer and questioned by the Chairman and the Member.

Councillor P Williams was re-called as a witness by the Investigating Officer and questioned by the Chairman and the Member.

The Sub-Committee took a 5 minute comfort break at 11.30am.

On re-convening, Councillor C Vulliamy gave evidence and was questioned by the Chairman and Investigating officer.

The Member called Councillor P Parsons as a witness who was also questioned by the Chairman and the Investigating Officer.

The Member called Councillor B Empett as a witness who was also questioned by the Chairman and the Investigating Officer.

The Member called Councillor M Joll as a witness who was also questioned by the Chairman and the Investigating Officer.

The Member called Councillor B Cox as a witness who was also questioned by the Chairman and the Investigating Officer.

The Member called Councillor M Cox as a witness who was also questioned by the Chairman and the Investigating Officer.

The Sub-Committee withdrew from the meeting to consider its decision on the finding of fact.

The Sub-Committee took a break for lunch at this point, the hearing re-convening at 3.05pm.

On re-convening the Chairman announced the Sub-Committee's findings of fact.

The Sub-Committee then considered whether or not, based on the facts it had found, the Member had failed to follow the adopted Code of Conduct.

The Member and the Investigating Officer were invited to make representations concerning the alleged breach of the Code.

The Sub-Committee withdrew from the meeting to consider if on the balance of probability the Member had failed to follow the Code of Conduct adopted by Stoke Climsland Parish Council.

The Chairman announced the Sub-Committee's findings in respect of the alleged breach and outlined the Sub-Committee's reasons for that decision.

The Hearing Panel then heard representations from the Investigating Officer and the Member concerning the potential penalties for the breach.

The Sub-Committee once again withdrew from the meeting to consider what penalty should be imposed upon the Member.

The Sub-Committee returned to check with the Monitoring Officer if it would be feasible to arrange training of the Member within a period of one month in the parish. This was confirmed by the Monitoring Officer.

The Sub-Committee once again withdrew from the meeting to further consider what penalty should be imposed upon the Member

On re-convening the Chairman advised the parties of the decision of the Sub-Committee as to what sanctions should be imposed.

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RESOLVED THAT:-

- i) Councillor C Vulliamy should attend a training session on the Code of Conduct to be arranged by the Monitoring Officer of North Cornwall District Council at a venue within the Parish of Stoke Climsland.

- ii) Councillor C Vulliamy be suspended for one month, with immediate effect, or until such lesser time as Councillor C Vulliamy has completed a training session, as above.

RECOMMENDATIONS to Stoke Climsland Parish Council

- i) That all Councillors on Stoke Climsland Parish Council and the Parish Clerk should attend a training session on the Code of Conduct within three months;
- ii) That the Parish Council should ensure that the Minutes of all meetings record declarations of interests, their existence and nature, and whether they are personal interests or prejudicial interests;
- iii) It is of concern to the Hearing Panel that it appears that no Councillors on Stoke Climsland Parish Council have returned their Declaration of Interest Forms since the adoption of the 2007 Code of Conduct by the Parish Council.

The meeting closed at 6.00pm

Chairman