

Standards Committee Agenda

Wyre Borough Council
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Standards Committee meeting on Wednesday, 14 March 2018 at 4.00 pm in the Civic Centre, Poulton-le-Fylde

The Panel for the hearing will comprise: Cllr Barry Birch (Chairman), Cllr Sue Catterall and Cllr Rob Fail.

The Panel will be advised by the Deputy Monitoring Officer (Mary Grimshaw). Helen Kay, Independent Person, will also sit with the Panel in a non-voting capacity.

1. Introductions and Apologies for Absence

2. Declarations of Interest

Members will declare any pecuniary or significant other interests they have in relation to the items on this agenda.

3. Code of Conduct: Alleged breach by Cllr Terry Rogers Town Council

(a) Purpose of the meeting

This meeting of the Standards Committee has been convened:

- To consider an investigation report and its findings;
- To hear representations from the Investigating Officer and the Subject Member;
- To decide, on the basis of the evidence submitted and the representations made, whether the Subject Member has breached the Code of Conduct; and, if so,
- To decide which, if any, of the available sanctions to impose.

(b) Procedures to be followed

This hearing is being conducted under the procedures for dealing with alleged breaches of the Code of Conduct agreed by Wyre Borough Council on 7 July 2016 and included in Part 5.02 of the Council's

(Pages 1 - 12)

Constitution, attached.

The procedures to be followed at this stage in the process are set out in the Hearing Procedures in Annex B.

- (c) Documents to be considered (Pages 13 - 108)
The following documents are submitted for consideration by the Committee

- (i) Investigation report, compiled by the Council's Monitoring Officer, Liesl Hadgraft, attached.

The Monitoring Officer will present her report and will be accompanied by Barry Parsonage (Independent Person) who has been involved at earlier stages in the process of dealing with this complaint.

- (ii) Appendices 7 and 8 to the Investigation report are NOT FOR PUBLICATION and have been printed for members of the Panel and the subject member on green paper

The Chief Executive has determined, in accordance with Paragraph 11 of the Access to Information Rules in Part 4 of the Council's Constitution, that Appendices 7 and 8 are "Not for Publication" because they contain "exempt information" as defined in Schedule 12(a) of the Local Government Act 1972.

If the Committee wishes to discuss the contents of any those appendices and agrees that the public and press should be excluded whilst they do so, it will need to pass the following resolution:

"The public and press be excluded from the meeting whilst the contents of the Appendices 7 and 8 to the Investigation report are being considered, because they refer to exempt information as defined in category 1 (information relating to any individual) of Part 1 of Schedule 12(a) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Variation Order 2006 and, that the public interest in maintaining the exemption outweighs the public interest in disclosing the information."

- (iii) Councillor Rogers has confirmed that he will attend the hearing and has submitted the information set out below in response to the information set out in the Investigation report. He has also indicated that he intends to call Cllr E Anderton and Cllr Barrowclough as witnesses.

Comments on the Investigation report :

2.7 FTC grievance report did not resolve the issues due to Cllr Hewitt refusing to attend and acknowledge the findings of the panel, this sentence is not included in the paragraph which in my opinion is an essential element of background.

2.10 emphasis draw to availability of all Appendix 13 it was in fact the availability of Council Hewitt whom had been given numerous dates to attend a and expected everyone else to make dates when she was available.

4.7 I will give verbal responses to list of incidents cited by Cllr Hewitt

4.8 I request that a verbal response be given to email replies I sent to Cllr Hewitt App 19 -all

4.10-4.15 A verbal response be given in respect of the report

4.16-4.20 A verbal response be given in respect of the report

5.1 -5.13. A verbal response be given in respect of the report 5.9 totally disagree with this statement

6.4 that mitigating circumstances be considered by the committee verbal response

Adjournment of FTC meeting 23 Feb further information in a verbal response to why the meeting was adjourned given by verbal response which has not been cited by M O .

Summary:

1 that post to various media sites be acknowledged and that these can be given as evidence at the meeting which are relevant to my non apology

2 that both Cllr E Anderton And Cllr Mike Barraclough be in attendance to collaborate verbal and written evidence as witnesses

3 that the name of Michelle Hargreaves not be used in the hearing and that she be referred to as the previous clerk

4 I wish to provide evidence from the Mustard Seed Group as to why I adjourned a meeting for 20 minutes as cited in the MO report

Councillor Terry Rogers FTC Chair

Cllr Rogers will have an opportunity at the hearing to raise the issues he has stated he will respond to verbally.

The Monitoring Officer has made minor amendments to her report to reflect some of the points raised by Cllr Rogers on the draft report that was sent to him. The Monitoring Officer will also have an opportunity to respond at the hearing on the verbal comments Cllr Rogers makes at the hearing he raises.

- (d) Hearing - Stage 1: Consideration of evidence and representations on findings of fact and whether or not there has been a breach of the Code
The Chairman will invite the Committee to follow the steps, set out in paragraphs 10 to 14 of the Hearing Procedures, subject to any variations made in accordance with paragraph 5 of the procedures.

When those steps have been completed, the members of the Committee will withdraw, with the Independent Person and the Deputy Monitoring Officer, to consider the evidence presented and reach their conclusions in private on whether or not there has been a breach of the Code (paragraphs 15 and 16 of the procedures).

When they have done so, they will return to the Chamber and the Chairman will announce the Committee's findings.

If the Committee decides that there has been no breach of the Code the Committee will decide if it wishes to make any comments or recommendations on any issues arising from the hearing and then close the meeting.

- (e) Hearing - Stage 2 : Consideration of Sanctions
If the Committee has decided under stage 1 of the hearing that there has been a breach of the Code, the Chairman will invite the Committee to follow the steps relating to possible sanctions, set out in paragraphs 18 of the hearing procedures

When any representations by the Investigating Officer and the Subject Member have been made, the members of the Committee will withdraw again to consider in private, with the Independent Person and the Deputy Monitoring Officer, what sanctions, if any to impose.

When they have done so, they will return to the Chamber and the Chairman will announce the Committee's decision.

The Chairman will then close the meeting.