



## Investigation Report

Complaint Submitted by Cllr R Greenhough  
Cllr D Henderson  
Cllr P Ingham  
Cllr P Murphy

Investigating Officer

**Liesl Hadgraft**

**Head of Business Support and Monitoring Officer**

**February 2018**

## 1. Purpose of the report.

- 1.1 To report on the findings following four complaints that were submitted by the above named Councillor's regarding the behavior of Cllr Evelyn Stephenson at a Planning Committee 5 July 2017.

## 2. Background.

- 2.1 On the 5 of July 2017 a scheduled meeting of Wyre Councils Planning Committee took place. Item 01 on the agenda, (Appendix 1) was to consider the application for the erection of 15 apartments, for persons aged 55 and over together with retail unit and car parking at Fleetwood Pier, the Esplanade, Fleetwood, Lancashire.
- 2.2 It is alleged that after the vote had taken place on the above agenda item, Cllr E Stephenson, a member of the Planning Committee commented "*it's a stitch up*" and "*you're a shower of shites*" to members of the committee in front of applicants, objectors and members of the public. The application had aroused a lot of public interest and as such there was a large number of members of the public present during and immediately after the decision had been made.
- 2.3 Cllr Greenhough is Chair of the Planning Committee and Cllr Ingham a member of said committee. The other two complainants; Cllr Henderson and Cllr Murphy were present at the meeting but were not actively participating in it.
- 2.4 All four members have claimed that such behavior constitutes a breach of the Councillor's Code of Conduct.

## 3. Process of the investigation.

- 3.1 All four complainants have completed a complaint form (appendices 2, 3, 4, 5) and provided an independent account of what they heard and saw on the day in question.
- 3.2 The content of each submission provides a similar account and an initial assessment of these carried out separately by the Monitoring Officer (MO), Liesl Hadgraft and Barry Parsonage, Independent Person (IP) (Appendix 6), concluded that Cllr E Stephenson had been acting in her capacity as a Councillor at the time of the alleged incident and as such the matter should be investigated further to determine whether a breach of the code had occurred.
- 3.3 In addition, around a similar time to these submissions, the MO was also approached by an officer of the Council who had been in attendance at the meeting in an official capacity. They reported that they had also heard Cllr E Stephenson make inappropriate comments at the Planning

meeting. The MO advised the officer that should there be a need for the matter to go to a Standards Hearing they may be asked to make a statement outlining what they had observed.

- 3.4 Following this decision of the initial assessment, Cllr E Stephenson was asked to attend a meeting (Appendix 7) with the MO and the IP to allow her the opportunity to give her account of events on the day of the Planning Committee. This initial request was made on the 1 August 2017 and a number of possible dates to attend a meeting were proposed.
- 3.5 The Democratic Services Manager spoke to Cllr E Stephenson on the 6 September 2017 (in the presence of Cllr B Stephenson) reminding her of the MO's request that she attend a meeting. However, no response to either the email or conversation was received and a further letter (Appendix 8) was sent on 22 September 2017 advising Cllr E Stephenson that failure to attend a meeting would result in the matter being taken directly to a Standards Hearing.
- 3.6 Following receipt of this letter, a meeting was arranged for the 23 October 2017.
- 3.7 Prior to this meeting taking place, Cllr L Beavers contacted the MO via email (Appendix 9) on 20 October 2017 advising that she had been in attendance at the Planning Committee and stated that she had not heard Cllr E Stephenson swear at the meeting. She also advised that she was aware that a number of Labour Colleagues who sat on the Planning Committee would also testify to that effect and would no doubt be willing to submit statements if required.
- 3.8 On the 23 October 2017 Cllr E Stephenson attended a meeting with the MO and IP, also in attendance for the whole of the meeting was Cllr L Beavers; Cllr Brian Stephenson attended for the first part of the meeting.

#### **4. Findings and Outcome of Stage 1 of the Procedure**

- 4.1 Prior to the interview commencing Cllr Beavers reiterated the point she had made in her email of the 20 October 2017 and asked whether it would be useful to obtain the statements from Labour colleagues on the Planning Committee. The MO advised that she did not feel this was necessary at that stage. However she did advise that in addition to the complaints that had been received from Members, an officer of the Council had also come forward as a witness and should there be a need to take the matter to a hearing she stated that she would ask the Officer to put in writing what they had observed.
- 4.2 In her account of events that day, Cllr E Stephenson explained that the vote regarding the Fleetwood Pier site had created an emotive atmosphere in the Council Chamber and when the decision was announced there was a lot of noise in the room.

- 4.3 She admitted openly that at the time of the decision she did say the words *"it's a stitch up"*, she also added that she said at a similar time *"you've got no backbone"*. She categorically denied however the allegation relating to the other comment *"you're a shower of shites"*.
- 4.4 Both Cllr B Stephenson and Cllr Beavers confirmed that they had heard Cllr E Stephenson say *"it's a stitch up"*, however both stated that they didn't hear her say either *"you've got no backbone"* or *"you're a shower of shites"*.
- 4.5 The IP raised the question that given both Councillor's had only heard Cllr E Stephenson say one of the above comments, was it possible that they had not heard all of her comments given the emotion and noise in the Council Chamber at the time of the meeting.
- 4.6 Both Cllr Beavers and Cllr B Stephenson were adamant that Cllr E Stephenson had not made the alleged comment.
- 4.7 The MO raised the issue of public perception and the need for Councillors' to behave appropriately. She advised that during the initial assessment stage of the process the MO and IP had already established that Cllr E Stephenson being a member of the Planning Committee, had been acting in her capacity as Councillor at the time of the incident.
- 4.8 Councillors' must have regard for their conduct and how this is likely to be perceived. Part 5.01/2 of the Councils Constitution (appendix 10) states that *"when acting in your capacity as a member/co-opted member....you must promote and support high standards of conduct when serving in your public post"*. In addition, particular care needs to be taken at forums such as the Planning Committee, where the rules of natural justice apply.
- 4.9 Taking this into consideration, as well as her position on the Planning Committee, and the platform used to make the comments. Both the MO and the IP formed the view, that despite the discrepancy in words, the comments that Cllr E Stephenson had admitted to saying were in appropriate, not acceptable and had created a slur on the rest of the members of Planning Committee.
- 4.10 They therefore agreed that a breach of the code had taken place and that, in this instance, an informal resolution should be sought.

## 5. Informal Resolution and Conclusion

- 5.1 Both the MO and IP were of the opinion that the matter could be resolved by way of either a verbal or written apology. Given the comments that had been made about fellow members of the Council, in a public arena, it was considered appropriate that the apology should take place at the next Planning Committee.

- 5.2** Cllr E Stephenson advised that she would need to consider this carefully before she agreed and would want to discuss this with the rest of the Labour group. It was therefore agreed that the MO would provide some wording and once in receipt of this Cllr E Stephenson would confirm whether she was prepared to make the apology as requested.
- 5.3** The MO also advised her that if the apology was not made there would be no alternative than to take the matter to a formal hearing of the Standards Committee.
- 5.4** On the 24 October 2017 the MO emailed the proposed apology (Appendix 11)
- 5.5** On the 27 October 2017 Cllr E Stephenson emailed the MO to advise that she did not intend to make the apology as requested (Appendix 12)
- 5.6** The MO advised the officer who had been present at the meeting that the matter was likely to go to a formal Standards Hearing and requested that they now provided her with a witness statement (Appendix 13)
- 5.7** At the scheduled Standards meeting on the 16 November 2017, the MO advised the committee that in her and the IP opinion a breach of the code had occurred, but as the subject member had refused to apologise, the matter would need to be taken to a Standards Hearing (Appendix 14).



## **Planning Committee Agenda**

**Wyre Borough Council**

**Date of Publication: Tuesday 27 June 2017**

**Please ask for: Democratic Services**

**Tel: (01253) 887444**

**Planning Committee meeting on Wednesday 5 July 2017  
at 2pm in the Council Chamber, Civic Centre, Poulton-le-Fylde**

### **1. Apologies**

### **2. Declarations of interest**

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters under consideration.

### **3. Confirmation of Minutes**

To confirm as a correct record the minutes of the meeting of the Planning Committee held on Wednesday 7 June 2017 (already circulated by email).

### **4. Appeals**

Schedule of Appeals lodged and decided between 15 May – 15 June 2017 (attached pages 1 – 8)

### **5. Planning Applications**

#### **Background Papers:**

In preparing the following reports on this agenda the following documents have been used:

1. The Wyre Borough Local Plan (1999)
2. Wyre Borough Core Strategy Preferred Options document (March 2012)
3. Wyre Local Plan Issues and Options (June 2015)
4. Joint Lancashire Minerals and Waste Local Plan
5. Statements of Government Policy/advice (NPPF, NPPG, Circulars etc.).
6. Supplementary Planning Documents and evidence base documents specifically referred to in the reports.
7. The application file (as per the number at the head of each report).
8. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
9. Any additional information specifically referred to in each report.

These Background Documents are available either on line, or for inspection by request at Planning Services, Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU

- (a) Schedule of applications to be considered (page 9)
- (b) Reports of the Head of Planning Services:-
  - Item 01, Outline application for the erection of 15 apartments for persons aged 55 and over together with retail unit and car parking (re-submission 16/00407/OUTMAJ) – Fleetwood Pier, The Esplanade, Fleetwood, Lancashire – 17/00126/OUTMAJ (pages 10 - 36)
  - Item 02, Part retrospective application for the erection of a detached dwelling – Rear of Former Saracens Head Hotel, 200 Park Lane, Preesall, Poulton-Le-Fylde, Lancashire, FY6 0NW – 17/00472/FUL (pages 37 - 50)

**PLEASE NOTE:**

**Transport for the members will leave the Civic Centre for the two Site Visits at 10.30am.**

arm/rg/pla/ag/050717

# ALLEGED BREACHES OF THE COUNCILLORS CODE OF CONDUCT: COMPLAINT FORM

## Your Details

1. Please provide us with your name and contact details:

Title (Mr/Mrs/Ms/Other): ..... MR J ELLER  
 First Name: ..... RON  
 Last Name: ..... GREENKOUGH  
 Address: ..... 4 WHARFDALE COURT, CHESTER AVE, POOLTOFTON, WYRE  
 Daytime Telephone: ..... F467500  
 Evening Telephone: ..... 01253 891026  
 Mobile Telephone: ..... 07778308348  
 Email Address: ..... ron.greenkough@wyre.gov.uk

(Please see attached notes explaining who this information will be given to).

2. Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- Local authority monitoring officer
- Other council officer or authority employee
- Other (please specify)

3. Please state the name of the Councillor(s) you believe have breached the Code of Conduct and the name of their Council:

<u>First Name</u>	<u>Last Name</u>	<u>Council Name</u>
Paul Evelyn	Anderson	WYRE COUNCIL

(Please note that if your complaint relates to a Wyre Borough Councillor who is also a Lancashire County Councillor or a Member of a Parish Council within the Wyre area, then the information on this form may be shared with that other Council).



4. Please explain in this section what the Councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one Councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the Assessment Sub-Committee when it decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

AT THE PLANNING COMMITTEE MEETING ON WEDNESDAY  
5<sup>TH</sup> JULY 2017, HELD IN THE MAIN COUNCIL CHAMBER.

THE APPLICATION IN RELATION TO FLEETWOOD PIER  
WAS BEFORE US FOR A PLANNING DECISION.

WHEN, AS COMMITTEE CHAIRMAN, ANNOUNCED THE  
COMMITTEE DECISION TO APPROVE THE APPLICATION

ELLER EVELYN STEPHENSON CLEARLY SHOUTED ACROSS THE  
CHAMBER "IT'S A SET-UP" FOLLOWED BY "YOUR A  
SHOWER OF SHITE" I FOUND THIS LANGUAGE TOTALLY  
UNACCEPTABLE. COUNCILLOR EVELYN STEPHENSON IS A

MEMBER OF THE PLANNING COMMITTEE AT THE  
TIME OF THIS THERE WERE 33 MEMBERS OF THE

PUBLIC PRESENT, PLUS A REPORTER FROM THE  
"FLEETWOOD WEEKLY NEWS"

I BELIEVE THIS TYPE OF LANGUAGE IS TOTALLY  
AGAINST THE STANDARDS OF BEHAVIOUR EXPECTED FROM  
AN ELECTED MEMBER.

OTHERS WHO WITNESSED THIS INCIDENTS ARE

- (1) COUNCILLOR TOM INGHAM
- (2) COUNCILLOR PETER MURPHY
- (3) COUNCILLOR PAUL MOON
- (4) COUNCILLOR DAVID HENDERSON

5. If you do not want your name to be revealed to the Council or you are complaining about, please say why here.

(Please see attached notes explaining how such requests will be considered).

Date: ..... 21/7/17 .....

Please send your completed form to:

The Monitoring Officer  
Wyre Borough Council  
Civic Centre  
Breck Road  
Poulton-le-Fylde  
Lancashire  
FY6 7PU

Or email to: [monitoringofficer@wyrebc.gov.uk](mailto:monitoringofficer@wyrebc.gov.uk)

# ALLEGED BREACHES OF THE COUNCILLORS CODE OF CONDUCT: COMPLAINT FORM

## Your Details

1. Please provide us with your name and contact details:

Title (Mr/Mrs/Ms/Other): COUNCILLOR  
 First Name: DAVID  
 Last Name: HENDERSON  
 Address: 14 VICARAGE ROAD HOUNSLEY WYRE  
 Daytime Telephone: 8938330  
 Evening Telephone: 890818 - OFFICERS ONLY  
 Mobile Telephone: 07917194800 " "  
 Email Address: DAVID.HENDERSON@WYRE.GOV.UK

(Please see attached notes explaining who this information will be given to).

2. Please tell us which complainant type best describes you:

- Member of the public  
 An elected or co-opted member of an authority  
 An independent member of the standards committee  
 Member of Parliament  
 Local authority monitoring officer  
 Other council officer or authority employee  
 Other (please specify)

3. Please state the name of the Councillor(s) you believe have breached the Code of Conduct and the name of their Council:

<u>First Name</u>	<u>Last Name</u>	<u>Council Name</u>
<u>EUKLYN</u>	<u>STEPHENSON</u>	<u>WYRE</u>

(Please note that if your complaint relates to a Wyre Borough Councillor who is also a Lancashire County Councillor or a Member of a Parish Council within the Wyre area, then the information on this form may be shared with that other Council).

4. Please explain in this section what the Councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one Councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

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- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

AT THE PLANNING MEETING ON 5<sup>TH</sup> JULY  
 WHEN THE VOTE WAS TAKEN ON THE  
 FLEETWOOD PIER SITE I CLEARLY  
 HEARD COUN. K. STEPHENSON SAY  
 "IT'S A STICK UP, YOUR A SHOWER  
 OF SHITE" WHICH I TOOK TO  
 BE DIRECTED TO THE MEMBERS WHO  
 VOTED IN FAVOUR OF THE APPLICATION.  
 AT THE TIME I WAS SITTING ACROSS  
 THE CHAMBER WHERE THE PRESS NORMALLY  
 SIT.

5. If you do not want your name to be revealed to the Councillor you are complaining about, please say why here.

(Please see attached notes explaining how such requests will be considered).

Date: .....21-07-2017.....

Please send your completed form to:

The Monitoring Officer  
Wyre Borough Council  
Civic Centre  
Breck Road  
Poulton-le-Fyde  
Lancashire  
FY6 7PU

Or email to: [monitoringofficer@wyrebc.gov.uk](mailto:monitoringofficer@wyrebc.gov.uk)

Ref 2017/04(ii)

# ALLEGED BREACHES OF THE COUNCILLORS CODE OF CONDUCT: COMPLAINT FORM

## Your Details

1. Please provide us with your name and contact details:

Title (Mr/Mrs/Ms/Other): MR.  
 First Name: PHILLIP DUNCAN THOMAS  
 Last Name: INGHAM  
 Address: 35 ROYLEN AVE CARLETON  
 Daytime Telephone: 885760  
 Evening Telephone: 07931720734  
 Mobile Telephone: -  
 Email Address: tom.ingham@wyre.gov.uk

(Please see attached notes explaining who this information will be given to).

2. Please tell us which complainant type best describes you:

- Member of the public  
 An elected or co-opted member of an authority  
 An independent member of the standards committee  
 Member of Parliament  
 Local authority monitoring officer  
 Other council officer or authority employee  
 Other (please specify)

3. Please state the name of the Councillor(s) you believe have breached the Code of Conduct and the name of their Council:

<u>First Name</u>	<u>Last Name</u>	<u>Council Name</u>
<u>EVELYN</u>	<u>STEPHENSON</u>	<u>W.B.C.</u>

(Please note that if your complaint relates to a Wyre Borough Councillor who is also a Lancashire County Councillor or a Member of a Parish Council within the Wyre area, then the information on this form may be shared with that other Council).

4. Please explain in this section what the Councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one Councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

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- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

WHEN THE VOTE WAS TAKEN EVELYN  
STEPHENSON SHOUTED ACROSS THE COUNCIL  
CHAMBER: IT'S A STITCH UP, AND YOUR  
A. SHOWER OF SHITE.

I FOUND HER REMARKS OFFENSIVE AGAINST  
THE PLANNING AUTHORITY AND THE COUNCIL.

5. If you do not want your name to be revealed to the Councillor you are complaining about, please say why here.

(Please see attached notes explaining how such requests will be considered).

Date: ..... / 19 - 7 - 17 .....

Please send your completed form to:

The Monitoring Officer  
Wyre Borough Council  
Civic Centre  
Breck Road  
Poulton-le-Fylde  
Lancashire  
FY6 7PU

Or email to: [monitoringofficer@wyrebc.gov.uk](mailto:monitoringofficer@wyrebc.gov.uk)



# ALLEGED BREACHES OF THE COUNCILLORS CODE OF CONDUCT: COMPLAINT FORM

## Your Details

1. Please provide us with your name and contact details:

Title (Mr/Mrs/Ms/Other): Mr  
 First Name: PETE  
 Last Name: MURPHY  
 Address: 9 RAMSHILL AVE Poulton,  
 Daytime Telephone: 01253 886753  
 Evening Telephone: 07901 640256  
 Mobile Telephone:  
 Email Address: Pete.Murphy@wyre.gov.uk

(Please see attached notes explaining who this information will be given to).

2. Please tell us which complainant type best describes you:

- Member of the public  
 An elected or co-opted member of an authority  
 An independent member of the standards committee  
 Member of Parliament  
 Local authority monitoring officer  
 Other council officer or authority employee  
 Other (please specify)

3. Please state the name of the Councillor(s) you believe have breached the Code of Conduct and the name of their Council:

<u>First Name</u>	<u>Last Name</u>	<u>Council Name</u>
<u>EVERY</u>	<u>Stebanson</u>	<u>WYRE</u>

(Please note that if your complaint relates to a Wyre Borough Councillor who is also a Lancashire County Councillor or a Member of a Parish Council within the Wyre area, then the information on this form may be shared with that other Council).

4. Please explain in this section what the Councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one Councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the Assessment Sub-Committee when it decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

AS THE PLANNING COMMITTEE CONFIRMED THE FURTHER  
 FUEL APPLICATION WAS APPROVED, EVILYN STEPHENSON  
 SWOONED ACROSS THE COUNCIL "IT'S A  
 STITCH UP! YOU'VE A SWOONER OF SUITE!  
 THIS WAS HEARD LOUDLY ACROSS THE COUNCIL

5. If you do not want your name to be revealed to the Councilor you are complaining about, please say why here.

(Please see attached notes explaining how such requests will be considered).

Date: 18<sup>th</sup> July 2017

Please send your completed form to:

The Monitoring Officer  
Wyre Borough Council  
Civic Centre  
Breck Road  
Poulton-le-Fylde  
Lancashire  
FY6 7PU

Or email to: [monitoringofficer@wyrebc.gov.uk](mailto:monitoringofficer@wyrebc.gov.uk)

**Saunders, Roy**

**From:** Barry [REDACTED]  
**Sent:** 28 July 2017 15:44  
**To:** Saunders, Roy  
**Cc:** Hadgraft, Liesl  
**Subject:** Re: New complaint (Ref: 2017/04)

Hi Roy

I'm more than happy with the proposal, and will wait to hear about dates.

Sent from my iPhone

> On 28 Jul 2017, at 15:35, Saunders, Roy <Roy.Saunders@wyre.gov.uk> wrote:

>

> Hi Barry,

> Please see the attached complaints, submitted by 4 Councillors, about the behaviour of Cllr Evelyn Stephenson at the Planning Committee meeting held on 5 July.

>

> A preliminary tests checklist form is also attached for you to complete please.

>

> Unless you feel differently, there seems little point in you coming in to do the initial assessment jointly, because Liesl and I think we will inevitably need to ask Cllr Stephenson to come in to give her side of the story. If you agree with that course of action, it would be helpful if you could come in half an hour or so before we meet with her though, so that we can plan the interview.

>

> If you want any further information or, if you favour an alternative approach, please give Liesl or me a ring. If you are happy to proceed as suggested, I will contact Cllr Stephenson about possible dates.

>

> Thanks.

>

> Roy

> Roy Saunders

> Democratic Services and Scrutiny Manager Wyre Council

>

> Roy.Saunders@wyre.gov.uk

> 01253 887481

> Civic Centre, Breck Road, Poulton-le-Fylde, Lancashire, FY6 7PU Find

> us online at: wyre.gov.uk, facebook.com/wyrecouncil, @wyrecouncil The

> Wyre Council email disclaimer can be found at [www.wyre.gov.uk/disclaimer](http://www.wyre.gov.uk/disclaimer).

> Be prepared for flooding -

> [wyre.gov.uk/info/200462/flooding/382/prepare\\_for\\_flooding](http://wyre.gov.uk/info/200462/flooding/382/prepare_for_flooding)

> <Complaint\_2017\_04i\_Murphy.pdf>

> <Complaint\_2017\_04ii\_Ingham.pdf>

> <Complaint\_2017\_04iii\_Henderson.pdf>

> <Complaint\_2017\_04iv\_Greenhough.pdf>

> <PRELIMINARY\_TESTS\_\_CHECKLIST\_Stage\_1\_2017\_04.doc>

Email secured by Check Point

**Saunders, Roy**

**From:** Saunders, Roy  
**Sent:** 01 August 2017 09:40  
**To:** Cllr Stephenson, Evelyn  
**Subject:** Code of Conduct complaint

<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	Cllr Stephenson, Evelyn	
	Hadgraft, Liesl	Read: 01/08/2017 10:07

Dear Evelyn,

I have to inform you that the Monitoring Officer (Liesl Hadgraft) has received complaints about your behaviour at the Planning Committee meeting on 5 July.

Liesl has asked me to arrange a meeting with you and the Council's independent person for standards issues (Barry Parsonage), to enable her to inform you of the nature of the complaints and to hear your view of the events referred to.

I have identified the following possible dates for such a meeting in Liesl's office at the Civic Centre next week or the week after:

Monday 7 August, at any time from 11am onwards

Wednesday 9 August, at any time, except between 2.30pm and 4.30pm

Wednesday 16 August, at any time

Thursday 17 August, at any time except between 1pm and 3.00pm.

Would you please contact me as soon as possible, by email or telephone, to tell me which of these dates is most convenient for you?

Thanks.

Roy

Cllr E Stephenson  
73a Mount Road  
Fleetwood  
Fy7 6QZ

Please ask for: Roy Saunders  
Extension No. 7481  
Our Ref: 2017/04

Date: 22 September 2017

Dear Cllr Stephenson

**Planning Committee Meeting 5 July 2017: Code of Conduct complaint**

Further to my email to you dated 1 August 2017 and our subsequent conversations on 2 August and 6 September, Liesl Hadgraft has asked me to give you a final opportunity to meet with her, in her capacity as Monitoring Officer, to discuss the complaints made about your behaviour at the Planning Committee meeting held on 5 July 2017. Details of the complaints made are attached.

Such a meeting would enable you to give your explanation of the events which took place at the Planning Committee meeting in July and to comment on the complaints made against you. The meeting with Liesl would be relatively informal and take place in a private setting. Either Barry Parsonage or Helen Kay (the two independent persons appointed by the Council for ethical standards issues) would also be present and you would have the option of bringing someone with you, if you wish. The discussion would help to clarify the facts and might enable Liesl to identify a resolution without escalating the complaint further.

However, if you decline to attend the meeting, Liesl will have no option but to convene a Standards Committee Hearing under the Council's Procedures for Dealing with Code of Conduct Complaints, set out in Part 5.02 of the Constitution (a copy of which is also enclosed). That would be a formal hearing, which would more than likely be held in public. You would be asked to attend, but if you declined to do so it could proceed in your absence. The Standards Committee would have to consider the information presented to them, decide whether your behaviour amounted to a breach of the Code of Conduct and, if so, whether to impose any of the available sanctions.

Would you please let me know by 5pm on Monday 2 October whether you want me to arrange the requested meeting with Liesl? If you do not respond to me, or contact Liesl direct by that date, I will have to start making arrangements for a Standards Hearing.

Yours sincerely



Roy Saunders  
Democratic Services and Scrutiny Manager

*Sent 22/9/17, with copy of  
Code of Complaints process  
enclosed.*

**Saunders, Roy**

**From:** Hadgraft, Liesl  
**Sent:** 20 October 2017 09:23  
**To:** Lorraine Beavers LCC  
**Cc:** Saunders, Roy  
**Subject:** RE: Allegations of misconduct

Dear Lorraine,

Thanks for your email, I have a meeting next week with Evelyn, which I understand you are attending, I think it would probably be beneficial to have this in the first instance.

Kind regards  
 Liesl

**Liesl Hadgraft**  
 Head of Business Support  
 01253 887316  
 Room 204

**From:** Lorraine Beavers LCC  
**Sent:** 17 October 2017 13:37  
**To:** Hadgraft, Liesl  
**Cc:** Saunders, Roy  
**Subject:** Allegations of misconduct

Dear Liesl,

On reading the allegations against Councillor Evelyn Stephenson.

I would like to add that I was present at the Planning meeting on 5<sup>th</sup> July and spoke against the proposed building on Fleetwood beach.

I did hear Councillor Stephenson say "it's a stitch up"

I didn't however hear Councillor Stephenson say "you're all a shower of shite"

If I did I can assure you I would remember it.

I have had conversations with numerous other people who were present at the Planning meeting regarding these allegations and no one can recall hearing Councillor Stephenson saying the second sentence.

I was sitting in the chamber nearer to Councillor Stephenson than Councillors Murphy and Henderson, so how they heard this and I didn't is a mystery.

I have spoken to my Labour colleagues on planning and not one of them heard either.

I am in the process of speaking to Fleetwood Town councillors who were present at this meeting and up to press they never heard Councillor Stephenson either.

Please let me know if you would like written statements of individuals about this matter.

Yours Lorraine  
 Wyre Labour Group Leader

County Councillor Lorraine Beavers

APPENDIX 10.

**COUNCILLORS CODE  
OF CONDUCT**

(New Wyre Code of Conduct  
adopted by the Council on 6 September 2012  
in compliance with the Localism Act 2011).



## COUNCILLORS CODE OF CONDUCT FOR WYRE FROM 1 JULY 2012

### Part 1:

#### General Provisions and Obligations

1.1 You are a member or co-opted member of the Wyre Borough Council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member:

- You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
- You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
- You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
- You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in Part 2 below.
- You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

**Saunders, Roy**

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**From:** Hadgraft, Liesl  
**Sent:** 24 October 2017 17:20  
**To:** Cllr Stephenson, Evelyn  
**Cc:** Cllr Beavers, Lorraine; Saunders, Roy  
**Subject:** Proposed Wording

Dear Cllr Stephenson,

Thank you for meeting with the Independent Person and myself yesterday. Following our discussion, as agreed I have set out some words for you to consider, which are as follows:

*At the planning Committee on 5 July 2017 I made some comments in relation to the Fleetwood Pier application. As you will no doubt recall, it was a very controversial meeting which was noisy, heated and emotional. I was very much aware of the strength of public feeling in Fleetwood about the impact the proposed development would have and having heard the debate felt passionately that it should have been refused. However I have since been informed by the Monitoring Officer that some of the words I used amounted to a breach of the Councillors Code of Conduct.*

*I apologise for that breach.*

The words in red would need to be included in the statement to satisfy the process.

I have also given some more thought as to the best way to deal with this matter should you agree. I am of the view that the simplest and least contentious way would be for the statement to be included in the form of a letter from yourself which could be added as an Agenda item on the Planning Committee. This would be duly noted and therefore avoid the need for you to speak on the issue.

I would appreciate it if you could let me know if you are in agreement so that I know how to proceed with this matter.

Regards

**Liesl Hadgraft**  
Head of Business Support  
01253 887316  
Room 204

**Hadgraft, Liesl**

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**From:** Hadgraft, Liesl  
**Sent:** 30 October 2017 07:58  
**To:** Saunders, Roy  
**Cc:** Barry Parsonage [REDACTED] Grimshaw, Mary  
**Subject:** FW: Apoligy

[REDACTED]

[REDACTED]

-----Original Message-----

**From:** Brian Stephenson [mailto:brianstephenson@hotmail.com]  
**Sent:** 27 October 2017 19:26  
**To:** Hadgraft, Liesl  
**Subject:** Apoligy

Hi Liesl. Thanks for your advice and guidance?

However, as the complaint is so petty, I have decided to go to Standard's if necessary. Regards Evelyn.  
SeHnt from my hudl

**Hadgraft, Liesl**

**From:** Payne, Garry  
**Sent:** 01 November 2017 11:31  
**To:** Hadgraft, Liesl  
**Subject:** RE: Standards hearing

**Sensitivity:** Confidential

Hi Liesl, due to ill health reasons [REDACTED] was unable to take the Planning Committee meeting on the 5th July 2017 and as the agenda for the meeting included planning applications which by their nature had attracted considerable public interest, including planning application 17/00126/OUTMAJ an outline application for the erection of 15 apartments for persons aged 55 and over together with retail unit and car parking Fleetwood Pier, The Esplanade, Fleetwood, the then Development Manager, [REDACTED] requested that I attend site visits and the Planning Committee meeting to provide advice and guidance to elected Members.

I agreed to attend site visits and to provide advice and guidance to Members of the Planning Committee held on the 5<sup>th</sup> July 2017.

In respect of planning application 17/00126/OUTMAJ there was a significant number of objectors at both the site visit and at the Planning Committee meeting. At both the site visit and in the Council Chamber objectors were very well behaved and I would actually describe their conduct as exemplary.

During the Member debate the tension between Members intensified and as the debate continued I clearly heard Cllr Evelyn Stephenson say to the Conservative Members of the Committee who were sitting opposite her "You lot are a shower of shits". Whilst there was an increased tension in the planning committee meeting in my opinion the language used by Cllr Evelyn Stephenson was inappropriate. It is, however, for Members of the Standards Committee to decide what actions, if any they consider to be appropriate and if required I will attend a meeting of the Standards Committee and give evidence.

Regards

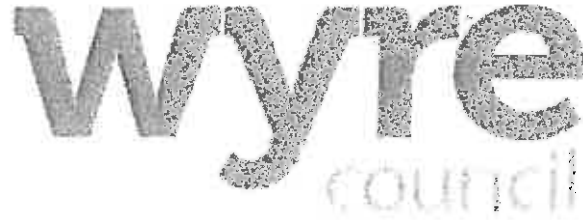
Garry

**Garry Payne**  
 Chief Executive  
 01253 887500  
 Room 180/181

**From:** Hadgraft, Liesl  
**Sent:** 01 November 2017 09:35  
**To:** Payne, Garry <Garry.Payne@wyre.gov.uk>  
**Cc:** Saunders, Roy <Roy.Saunders@wyre.gov.uk>  
**Subject:** Standards hearing  
**Sensitivity:** Confidential

ll,

See minute 12 (page 4)



## Standards Committee

Minutes of the meeting of the Standards Committee of Wyre Borough Council held on 16 November 2017 at the Civic Centre, Poulton-le-Fylde.

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**Councillors present:** Councillors I Amos, M Anderton, B Birch (Chairman), Lees and Moon (Vice Chairman).

**Officers present:** Liesl Hadgraft (Monitoring Officer and Head of Business Support), and Roy Saunders (Democratic Services and Scrutiny Manager).

**Also present:** Barry Parsonage (Independent Person).

**Apologies for absence:** Councillor Michael Vincent and Mary Grimshaw (Deputy Monitoring Officer and Senior Solicitor).

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### STA.08 Declarations of interest

Councillor Moon declared a significant non-pecuniary interest in agenda item 6 (Summary of Current Complaints) because he had been informed that he was the subject member in complaint Ref: 2017/06. He said that he would withdraw from the meeting should the complaint be discussed in any detail.

### STA.09 Minutes

**RESOLVED** that the Minutes of the meeting of the Committee held on 22 June 2017 be confirmed as a correct record.

### STA.10 Social Media Policy for Councillors

The Monitoring Officer submitted a report on a proposed media policy for councillors.

The Monitoring Officer reminded the Committee that there had been a discussion at its last meeting about the possibility of having a protocol for members on the use of social media. The proposed policy, attached as an appendix to her report, had been adapted for Wyre from a policy recently introduced at South Ribble District Council, where Barry Parsonage was also an Independent Person for standards issues. She said that she was having

to deal more frequently with issues arising from the use of social media which, if handled incorrectly, could get members into unnecessary hot water. The proposed policy would provide guidance to members and ultimately would also make it easier for this committee to decide, if necessary, whether or not there had been a breach of the Code of Conduct, when dealing with a complaint.

The Monitoring Officer said that there had also been discussion at the last meeting about training on this topic and other areas which tended to crop up as complaints from time to time. She said that it was now proposed to use one of the pre-council briefing slots, probably on 8 March 2018, to advise members on the new social media policy. The topics covered would, where appropriate, reflect areas where there had been complaints, in an effort to educate and remind members on do's and don'ts, which would hopefully reduce future complaints.

**RESOLVED:**

1. That the contents of the proposed Social Media Policy for Councillors attached as Appendix 1 to the Monitoring Officer's report be approved and that the Council be recommended to include it in Part 5 of the Constitution.
2. That the intention to provide information and advice on the new Social Media Policy and related standards issues at a pre-Council briefing session be supported.

**STA.11 Consultation: Disqualification Criteria for Councillors**

The Monitoring Officer submitted a report on a consultation process being carried out by the Department for Communities and Local Government (DCLG) about proposed additions to the criteria for the disqualification of Councillors.

The Monitoring Officer said that, when she had first read the title of this consultation she had hoped it was to consider a much broader remit, which might ultimately return more extensive powers to monitoring officers and standards committees. However, the aim of the consultation was quite specific and limited. There was currently legislation in place to address situations where councillors had been convicted in the UK of an offence and as a result received a sentence of imprisonment. This consultation proposed to update this area of legislation to include sex offenders and certain anti-social behaviour sanctions.

There were a total of 6 questions in the consultation, 2 relating specifically to the proposals relating to sex offenders, 2 in relation to anti-social behaviour and a further 2 general questions.

**RESOLVED:**

1. That the DCLG's proposals to introduce new rules prohibiting any individual who is subject to an Anti-Social Behaviour Injunction, a Criminal Behaviour Order or is added to the sex offenders' register from standing for election or holding office as a councillor, be supported.
2. That the Monitoring Officer be instructed to respond accordingly, i.e, answering "yes" to questions 1 – 4 and "no" to question 5 in the list of specific questions set out on page 16 of the consultation document.
3. That the Monitoring Officer also be instructed to inform the DCLG, in response to question 6 in the consultation document, that it was the Committee's view that a more comprehensive review of the local government standards regime, including the provision of a wider range of sanctions for breaches of the Councillors Code of Conduct, should be undertaken as soon as possible.

**STA.12 Current Complaints: Summary**

The Monitoring Officer submitted a schedule summarising complaints of alleged breaches of the Council's Code of Conduct which were currently being processed or had been completed since the last report to the Standards Committee. Ms Hadgraft said that brief details of each of the complaints were included in the schedule. She provided further information to the Committee at the meeting, as follows:

**Ref:2016/18**

The Committee had been informed at its' last meeting that this complaint was more or less concluded. Unfortunately, the subject member, having initially agreed to the make an apology, had subsequently refused to do so. They had been given two opportunities to make the apology at an appropriate public meeting, but had declined on both occasions. The Monitoring Officer therefore had no alternative but to recommend that the complaint be brought before a special Standards hearing.

**Ref: 2017/01**

This matter related to the wording of minutes. The Committee had been informed at its' last meeting that the subject member had acknowledged that some clarification to the wording of the minutes was required and that a mechanism to rectify that was being sought. Since then an electronic link has been added on the website against the minutes in question which, when clicked on, took the reader to a report of the Monitoring Officer which clarified the wording. This matter was therefore now closed.

Ref: 2017/04

A meeting between the Monitoring Officer, an Independent Person and the subject member had taken place. Having listened to the information provided the Monitoring Officer and the Independent Person had been of the view that a breach of the code had occurred and that an apology would be an appropriate way to deal with this matter. However, the subject member had declined that solution and a special Standards Committee Hearing would therefore need to be convened.

It was hoped that it would be possible to arrange the hearings for both this case and for case Ref: 2016/18 on the same day. Members would be informed as soon as possible of the date and detailed arrangements for each of the hearings.

Refs: 2017/05, 2017/06, 2017/07 and 2017/08

The Monitoring Officer said that these four fairly recent complaints had all been made by the same complainants and were related to a single event, but were about four different subject members.

No progress had yet been made on Ref: 2017/05, other than the preliminary tests having been being completed.

No progress had yet been made on Ref 2017/06, other than the preliminary tests being completed.

Complaint Ref: 2017/07 was not being taken further by the Monitoring Officer because the member who was the subject of the complaint had not been considered to be acting as Councillor when the alleged behaviour took place.

Complaint Ref: 2017/08 was also not being taken further by the Monitoring Officer because the member who was the subject of the complaint had again not been considered to be acting as Councillor when the alleged behaviour took place.

**RESOLVED:**

That the summary of current complaints submitted by the Monitoring Officer and her verbal report on each of the complaints referred to, including the arrangements being made for two Standards Committee hearings, be noted.

**STA.13 Next meeting**

The Committee noted that its next scheduled meeting was currently due to be held at 6pm on Thursday 15 March 2018.

The meeting started at 6.00pm and finished at 6.50pm.

arm/rg/sta/mi/161117



## ANNEX A

**STANDARDS COMMITTEE  
PRE-HEARING PROCEDURE**

1. Where an investigation report has found that there has been a breach of the Code of Conduct, and the matter cannot otherwise be resolved by local resolution, for example by the Subject Member admitting the breach and apologising, a hearing will be arranged. The hearing will generally be a meeting of the Committee convened specifically for that purpose.
2. A copy of the investigation report will be sent to the Subject Member, the complainant, the clerk to the town/parish council if the complaint relates to the Subject Member's conduct as a parish councillor, and to the Independent Person.
3. The Subject Member will be asked for a written response within ten working days. The response should set out the Subject Member's reply to the Investigating Officer's report and state whether he/she disagrees with any of the findings of fact in the report, giving the reasons for any disagreement. The response must also state if he/she:
  - wishes to be represented or accompanied by another person;
  - wishes to give evidence to the Committee, either orally or in writing;
  - wishes to call relevant witnesses to give evidence to the Committee;
  - wishes any part of the hearing to be held in private;
  - wishes any part of the Investigating Officer's report or other relevant documents to be withheld from the public.

The Subject Member may seek the views of the Independent Person who has not been involved in the consideration of the earlier stages in the complaints process.

4. The Subject Member will be informed that if, at the hearing by the Committee, he/she seeks to dispute any matter contained in the Investigating Officer's report without having previously notified the intention to do so, the Committee may refuse to allow the disputed matters to be raised unless satisfied that there are good reasons why they have not been raised beforehand.
5. Upon receipt of the Member's response, the Investigating Officer will be invited to comment on it within ten working days, and to say whether or not he/she:
  - wishes to call relevant witnesses to give evidence or submit written or other evidence to the Committee
  - wishes any part of the hearing to be held in private
  - wishes any part of the report or other relevant documents to be withheld from the public
6. Upon receipt of the Investigating Officer's response, the person advising the Committee at the hearing (either the Monitoring Officer or if he/she has carried out the investigation, the Deputy Monitoring Officer) will consider the responses of the Subject Member and the Investigating Officer and set a date for the hearing in consultation with the chairman of the Committee.

7. The Subject Member and the Investigating Officer will be entitled to request that any witnesses they want should be called. However, the Chairman of the Committee may limit the number of witnesses to be called, if he/she believes the number requested is unreasonable and that some witnesses will simply be repeating the evidence of earlier witnesses, or else not providing evidence that will assist the Committee to reach its decision.
8. Nothing in this procedure shall limit the Chairman of the hearing from requesting the attendance of any additional witnesses whose evidence he/she considers would assist the Committee to reach its decision.
9. The Monitoring Officer, in consultation with the Chairman and the Independent Person, will:
  - confirm a date, time and place for the hearing
  - confirm the main facts of the case that are agreed
  - confirm the main facts that are not agreed
  - provide copies of any written evidence to the relevant parties
  - confirm which witnesses will be called by the parties
  - provide the parties with copies of the proposed procedure for the hearing, specifying which parts of the matter, if any, may be considered in private

arm/rg/sta/cr/18/1403 4(c)(i)