

<b>Report to the Standards Sub-Committee</b>
<b>Date of meeting:</b> 9 November 2018
<b>Title of report:</b> Consideration of Issues relating to a Member
<b>Report by:</b> Paul Turner, Director, Legal and Assurance and Monitoring Officer
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## 1. Introduction

- 1.1 The Sub-Committee are asked to consider the attached report from Essex County Council's Deputy Monitoring Officer (**Appendix A**). The report sets out three issues of potential non-compliance with the Essex County Council Code of Conduct for Members. The Code of Conduct which applied at the relevant time is at **appendix B**.
- 1.2 The issues have been referred to the sub-committee by Paul Turner, the Monitoring Officer of Essex County Council, following a complaint by Rochford District Councillor Michael Hoy. The complaint was investigated by Joanna Boaler, Deputy Monitoring Officer.
- 1.3 Following investigation, the matter was referred to one of the Council's appointed independent persons, Mr Norman Hodson, whose comments are attached at **appendix C**.
- 1.4 The Procedure to be followed by the Sub-Committee is set out in the Assessment and Hearings Procedure, an extract from which is attached at **Appendix D**. **Appendix D** also sets out guidance on sanctions which the sub-committee could seek to impose should the sub-committee find a breach of the code. The stages to be followed are set out in appendix D but in summary the Sub-Committee is required to go through the following stages:
- Introductions
  - Consideration of Preliminary Matters.
  - Decision on disputed facts (if any).
  - Decision on whether there are any breaches of code.
  - Decision on sanction (if breaches of the code are identified).
- 1.5 The Sub-Committee may also want to make recommendations to the Councillor concerned, to the Monitoring Officer or to the Council generally.
- 1.6 The Sub-Committee's principal remit should therefore be focussed on considering the issues relating to an alleged breach of the Code and, if a breach is found, to consider what sanction should be imposed. Should the Sub-Committee consider that there are wider issues relating to standards that should be considered then it could refer those issues to the Audit, Governance and Standards Committee.

## **2. Pre-hearing Summary**

- 2.1 The Council's hearing procedures require the production of a pre-hearing summary. This is the subject of consultation with the Councillor concerned and will be circulated electronically to members and tabled at the meeting.

## **3. Recommendations**

- 3.1 That the Sub-Committee considers the report at appendix A and make the necessary determinations on the issues in the report in accordance with the Assessment and Hearings Procedure.

### **List of appendices:**

Appendix A – Investigating Officer's Report, which itself has the following appendices:

Appendix 1 – Complaint

Appendix 2 – Election Literature

Appendix 3 – Emails regarding the additional booking of a surgery in the library

Appendix 4 – Notice of Election Agents' Names and Offices for the election of a district councillor – Hullbridge ward

Appendix 5 – Map of Hullbridge showing location of the library

Appendix 6 – Statement by Councillor Carole Weston

Appendix 7 – Statement by Councillor Michael Hoy

Appendix 8 - Statement by Amanda Studd

Appendix 9 – Statement by Tracy Potter and Carol Rotheram

Appendix 10 – Statement by Councillor Angelina Marriott

Appendix 11 – Statement by Mr Peter Hennessey

Appendix B – Essex County Council's Code of Conduct for Councillors as in force in May 2018

Appendix C – Comments of the Independent Person, Mr Norman Hodson

Appendix D – Extract from Assessment and Hearings Procedure

Appendix E – Further material submitted by Cllr Weston

Appendix F – Further material submitted by the Investigating Officer