

Standards Committee

Monday, 6 March 2023

7.30 pm

Present:

Cllr John Caller (Chair)
Cllr Lyn Milner (Vice-Chair)

Councillors: Conrad Broadley
Emma Elliott
Leslie Hoskins
Tony Rana
Brian Sangha
Gurbax Singh
Jordan Meade

Bhupinder Gill Monitoring Officer
Joy Ukadike Independent Person
Carlie Simmonds Committee Services Manager (Minutes)

1. Apologies

Apologies for absence were received from Cllrs Leslie Hills, Diane Morton and Denise Tiran. Cllrs Conrad Broadley, Leslie Hoskins and Jordan Meade attended as their respective substitutes.

2. Minutes

The minutes of the meeting held on 8 December 2020 were signed by the Chair.

3. Declarations of Interest

No declarations of interest were made.

4. Exclusion

Resolved pursuant to Section 100A(4) of the Local Government Act 1972 that the public be excluded during the following item of business because it was likely in view of the nature of business to be transacted that, if members of the public were present during this item, there would be disclosure to them of exempt information.

5. Screening of Complaints SC 2023/001

The Monitoring Officer informed that the Committee that a complaint had been received in respect of the conduct of two Members of a Parish Council.

The Monitoring Officer advised that the complainant had used Medway Council's form rather than Gravesham Borough Council's form to lodge the complaint. However, the Monitoring Officer recommended that the Standards Committee consider the complaint, notwithstanding

the incorrect form, as it contained all relevant information for the Committee to come to a determination.

The Monitoring Officer had undertaken an initial screening of the complaint pursuant to Gravesham's procedure and had applied the tests set in the initial screening to each of the complaints. Following the outcome of the screening process, the Monitoring Officer considered that it would not be proportionate nor in the public interest to investigate each complaint as the complaint appeared to be trivial in nature and tit for tat.

The Committee was requested to consider the complaint together with the screening process and determine if the complaint passed the initial screening process, then for each complaint, to determine whether to:-

- take no further action; or
- suggest an informal resolution; or
- instruct the Monitoring Officer to cause an investigation to be conducted and that a report be presented to the Committee.

The Committee was informed that a copy of the report had also been shared with the Council's Independent Person. The Independent Person concluded that in both instances the Members' Code of Conduct had not been breached and that no further action should be taken.

The Monitoring Officer informed the Committee of an error on the screening document.

After careful consideration and on the basis of the evidence provided, the Committee agreed that there was no apparent breach of the Code of Conduct and requested that an advisory note be sent to the Parish Council suggesting the following:-

- all stakeholders involved in the consideration of such item of business, the production, approval of the minutes to be more mindful of the role they are undertaking; and
- that the official records accurately record the capacity in which individuals attend.

Decision

The Committee determined that the complaint may be considered to be vexatious, politically motivated or tit for tat and on that basis that there should be no further action.

It was noted that there would be no right of appeal against the decision of the Committee.

The Monitoring Officer advised that, in consultation with the Chair, he would draft the decision notices and advisory note which would then be sent to all relevant parties.

The Chair sought clarification from the Monitoring Officer as to why the complaint had been submitted to the Standards Committee for consideration when the initial screening by the Monitoring Officer had found that the complaint was not proportionate nor in the public interest to investigate.

The Monitoring Officer advised that Gravesham's procedure required all complaints to be submitted to the Standards Committee. However, at Medway Council, the Monitoring Officer

had delegated authority to initially screen/determine complaints and would only present them to the Standards Committee if the Monitoring Officer was minded to conduct an investigation.

The Committee was supportive of the above delegation being introduced at Gravesham Borough Council and requested that a report be brought to the Standards Committee in due course for consideration.

Close of meeting

The meeting ended at 8.07pm.