

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p>17th June 2008 Mr. D. Williams (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that the Councillor had been arrogant and aggressive at Parish Council meetings and had shown a considerable lack of respect to the Parish Clerk and the Chairman of the Parish Council.</p> <p>The Complainant stated that the Councillor continually questioned and contradicted the advice given by the Parish Clerk and had bypassed the Parish Clerk and sought advice direct from the authors of "The Good Councillors Guide".</p> <p>The Complainant stated the Councillor was rude and frequently aggressive to the Chairman and that the Councillor's behaviour at Council meetings had led to criticism at the Annual Parish meeting.</p> <p>The Complainant stated that the Councillor frequently sent e-mails to the Parish Clerk, several times a week, seeking advice, which the Councillor subsequently questioned.</p> <p>The Complainant drew attention to an e-mail which had been sent by the Councillor, in error, to the Parish Clerk – it appeared that the intended recipient had been another Councillor. The Complainant states that the e-mail seemed to suggest the main objective of the two councillors was the removal of the Parish Clerk.</p> <p>Mention was also made of the fact that the Councillor refused to sign cheques (on behalf of the Parish Council).</p>	<p>Paragraphs 3(1) and 5 The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action.</p> <p>Paragraph 3(2)(b) Allegation referred to the Monitoring Officer for investigation.</p> <p>The decisions on paragraphs 3(1) and 5 were upheld by a Standards Sub-Committee (Review) on 11th August 2008. The Members were:-</p> <p>Mr. P. Dawn (Chairman) Mr. T. Thompson Mr. K. Fairbrother</p>

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<p>17th June 2008 Mr. D. Williams (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that the Councillor had been continually critical of the management of the Parish Council's finances. The Councillor had contacted the Derbyshire Association of Local Councils about the perceived lack of financial governance or control of the management of the Parish Council's finances. The Councillor had expressed concerns about the internal auditor and had openly criticised his risk assessment as being 'not fit for purpose'.</p> <p>The Complainant stated that the Councillor and another Councillor had refused to accept the current practice relating to the amendment of minutes being recorded in the minutes of the next meeting.</p> <p>The Complainant cited the resignation of the Parish Clerk on 16th April 2008 and the internal auditor's intention to no longer act as an internal auditor for the Parish Council as evidence in support of the allegations.</p> <p>Mention was made of a Parish Magazine issued in March, which contained information about a complaint made by a local resident about a statement made by the Councillor. It was alleged that the Councillor and a neighbour prevented the distribution of the Parish Magazine, as the Councillor accused the Complainant of writing the report and defaming and harassing the Councillor by the publication.</p>	<p>Paragraphs 3(1), 3(2)(b) and 5 The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action.</p> <p>These decisions were upheld by a Standards Sub-Committee (Review) on 11th August 2008. The Members were:-</p> <p>Mr. P. Dawn (Chairman) Mr. T. Thompson Mr. K. Fairbrother</p>

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<p>17th June 2008 Mr. D. Williams (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that as the Councillor was not computer literate another Councillor had taken e-mailed documents to the Councillor as hard copies. It was stated that the Councillor fully supported two other Councillors at all meetings and that was in agreement with them and voted with them, being fully aware of the e-mails sent by them. Mention was made of the fact that the Councillor refused to sign cheques.</p>	<p>Paragraphs 3(1), 3(2)(b) and 5 The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action. Also, the information provided in support of the complaint was not considered to be sufficiently serious to warrant further action.</p>
<p>8th October 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. J. Harrison</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraphs 9, 10 and 12 Failure to disclose a personal and prejudicial interest.</p>	<p>The Complainant stated that at the Meeting of Barrow-upon-Trent Parish Council held on 3rd June 2008, one of the agenda items related to parish footpaths. The purpose of that item was to decide which Councillors would walk each particular footpath as it was the Council's practice for Members of the Parish Council to walk annually, all the footpaths in the parish to check on their state.</p> <p>The Complainant stated that the Councillor was present at the Meeting on 3rd June 2008 and despite admitting during the Meeting that he owned many of the parish footpaths and had a tenancy on others, the Councillor</p>	<p>Paragraphs 9, 10 and 12 Referral to the Monitoring Officer for other action (training). On 12th February 2009, the Sub-Committee agreed that the direction had been complied with.</p>

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			<p>failed to declare an interest in this agenda item.</p> <p>The Complainant claimed that at a further Meeting of the Parish Council held on 26th August 2008, there was an item on the agenda to receive a report on the condition of the footpaths. In relation to footpath No. 3, a lively discussion ensued relating to the fact there was a loose bull able to roam on to the public footpath. The Complainant claimed that the Councillor again failed to declare an interest in relation to this item, despite being the owner of the footpath in part, the tenant of a further part of that footpath and the owner of the bull.</p>	
<p>8th October 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. J. Harrison</p>	<p>Hatton Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that the Councillor undermines the Clerk to Hatton Parish Council at every opportunity, refusing to take his advice.</p> <p>In particular, at the Parish Council Meeting on 2nd September 2008, the Councillor failed to adhere to the agenda and actually inserted a matter, which was not contained on the agenda.</p> <p>During the course of the Meeting, the Complainant stated that the Councillor openly argued with the Clerk, ridiculing and shouting him down in front of members of the public and other Councillors.</p> <p>The Councillor apparently insisted that he alone could adjourn an item himself, without putting the motion to the Council to enable Members to vote on the matter.</p>	<p>Paragraphs 3(1), 3(2)(b) and 5 Referral to the Monitoring Officer for other action (training).</p> <p>On 12th February 2009, the Sub-Committee agreed that the direction had been complied with.</p>

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			<p>The Complainant stated that the Councillor tried to railroad other Members of the Council and that this was not the first time in the last few months that he had failed to show respect to the Clerk.</p> <p>The Complainant stated that the Councillor mentioned several times throughout the Meeting that they would willingly stand before the Standards Committee in relation to their conduct.</p> <p>It was the Complainant's belief that the conduct of the Councillor was bringing the whole of Hatton Parish Council into disrepute.</p>	
<p>8th October 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. J. Harrison</p>	<p>Hatton Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that at the Parish Council Meeting on 2nd September 2008, the Councillor did not adhere to the timescales of the agenda and persisted in discussing items which were not present on the agenda. An example was the Councillor responding to a letter from a parish resident, which was published in a recent edition of Hatton News.</p> <p>Both prior to and during the Councillor's response, the Complainant stated that the Councillor not only ignored advice given from the Clerk but that the Councillor was both rude, condescending and somewhat aggressive towards the Clerk and other Councillors, behaviour that had been ongoing for many months.</p> <p>The Complainant stated that one of the Councillor's responses to the Clerk's advice was "I will not be stopped from responding to this letter and I am happy to</p>	<p>Paragraphs 3(1), 3(2)(b) and 5 Referral to the Monitoring Officer for other action (training).</p> <p>On 12th February 2009, the Sub-Committee agreed that the direction had been complied with.</p>

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			<p>stand before the Standards Board, should that be required.” This sentiment was repeated several times throughout the Meeting.</p> <p>Upon reaching item 4 on the Agenda – To confirm as a true record the non-exempt Minutes of the Meeting held on July 1st, 2008, the Councillor commented that an amendment was required with reference to a vote taken at the previous Meeting.</p> <p>The Complainant stated that rather than discussing the required amendment, the Councillor decided to adjourn all discussion of the amendment along with items 15 and 16 on the agenda as there were Members of the Council who were absent, who should be allowed to vote. This was despite the Council Meeting being quorate. Apparently this decision was made by the Councillor alone and the Councillor did not allow the Council to vote on the adjournment.</p>	
<p>13th November 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>District Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p>	<p>The Complainant stated that at a meeting of the South Derbyshire Etwall Area Forum, held at Hilton Village Hall on 8th October 2008, the Councillor refused to allow any discussion on issues relating to a possible railhead development and that the Councillor’s handling of the matter was rude and unprofessional and led to a mass walk out from the meeting.</p> <p>The Standards Sub-Committee (Initial Assessment) can only deal with complaints regarding the alleged behaviour and conduct of a Member and, therefore, issues raised in the complaint that are not covered by the Members’ Code of Conduct have been referred</p>	<p>Paragraph 3(1) The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action.</p>

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			through to the District Council's complaints system, via the Head of Customer Services, to be dealt with.	
<p>13th November 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	District Councillor	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(a) You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006).</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that he attended the South Derbyshire District Council Etwell Area Forum on Wednesday, 8th October 2008 at Hilton Village Hall.</p> <p>Under Agenda Item 9, Public Questions, the Complainant states that an issue was raised from the floor concerning railheads in the locality. The Councillor made it clear that he would not speak or allow discussions about specific railheads, but only comment in principle.</p> <p>An attendee at the meeting indicated that they wished to speak on this subject. The Councillor refused to allow the attendee to do so. The Complainant stated that the attendee insisted that they be allowed to speak, but to the Complainant's astonishment was loudly and in the most abrupt and peremptory way shouted down by the Councillor. The Complainant stated that they were so appalled at the outrageous conduct of the Councillor that the Complainant, along with a dozen or so other residents of South Derbyshire, immediately left the meeting.</p> <p>The Complainant stated that they considered the conduct of the Councillor brought South Derbyshire District Council into disrepute and the behaviour was unacceptable.</p>	<p>Paragraphs 3(1) and 5 Allegation referred to the Monitoring Officer for investigation.</p> <p>Paragraphs 3(2)(a) and 3(2)(b) The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action.</p>

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			<p>The Standards Sub-Committee (Initial Assessment) can only deal with complaints regarding the alleged behaviour and conduct of a Member and, therefore, issues raised in the complaint that are not covered by the Code of Conduct have been referred through to the District Council's complaints system, via the Head of Customer Services, to be dealt with.</p>	
<p>13th November 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>District Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p> <p>Paragraph 3(2)(c) You must not intimidate or attempt to intimidate any person who is or is likely to be (i) a complainant, (ii) a witness, or (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a</p>	<p>The Complainant stated that on 8th October 2008, they attended the South Derbyshire District Council Etwall Area Forum.</p> <p>During the meeting, the Complainant stated that a member of the public raised a question concerning potential railhead developments in the locality and that the Councillor ruled that they would not discuss railheads other than in principle.</p> <p>The Complainant stated that they endeavoured to speak, but the Councillor ruled that they could not speak on the subject.</p> <p>The Complainant indicated that they wished to speak, and indeed attempted to explain that they needed to speak on the matter, but was again prevented from doing so by the Councillor who, the Complainant stated, was becoming agitated and loud in demeanour. The Complainant stated that they tried, unsuccessfully and politely, but with determination a third time to speak, only to be put down first by the Councillor and then the Clerk of the meeting.</p>	<p>Paragraphs 3(1), 3(2)(b) and 5 Allegation referred to the Monitoring Officer for investigation.</p> <p>Paragraph 3(2)(c) The information provided by the Complainant was not germane to refer the complaint for investigation or other action, as the paragraph concerns actions taken subsequent to the original incident.</p>

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		<p>Member (including yourself) has failed to comply with his or her authority's Code of Conduct.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The Complainant stated that at this point, a number of residents in the audience stood up, expressed anger, disappointment and exasperation and left the meeting.</p> <p>The Complainant stated that they were loudly, confrontationally and embarrassingly put down by a very peremptory and increasingly agitated Councillor.</p> <p>The Complainant stated that they felt very strongly that the Councillor has contravened the Code of Conduct for Members of South Derbyshire District Council.</p> <p>The Standards Sub-Committee (Initial Assessment) can only deal with complaints regarding the alleged behaviour and conduct of a Member and, therefore, issues raised in the complaint that are not covered by the Members' Code of Conduct will need to be referred through to the District Council's complaints system via the Head of Customer Services.</p>	
<p>13th November 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>District Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office</p>	<p>The Complainant stated that on 8th October 2008 at the meeting of the South Derbyshire Etwall Area Forum, the Complainant made it clear that any matters that related to a current or potential or future planning application would not be discussed and the Complainant apologised to any persons who had attended for this sole purpose, in that they had had a wasted journey and they would understand it if they wished to leave the meeting at this juncture, which no-one did.</p>	<p>Paragraphs 3(1) and 5 Allegation referred to the Monitoring Officer for investigation.</p>

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		<p>or authority into disrepute.</p>	<p>The Complainant went on to state that later in the meeting, the Councillor rose to challenge them and in a very loud voice demanded a right to speak on a planning issue of public concern.</p> <p>The Complainant stated that, at this stage, they rose from their seat and advised the Councillor to be “out of order”. The Complainant stated that the Councillor continued in a very loud voice to demand a right to be heard. The Complainant stated that they repeated that the Councillor was “out of order” but that the Councillor chose to ignore the Complainant and persistently continued to insist on a right to be heard.</p> <p>The Complainant stated that, by this time, and because of the continued onslaught and the strength/volume of the Councillor’s voice, the Complainant had to raise their own voice in order to be heard, as there was no gavel available for use, due to the meeting taking place in a village hall.</p> <p>The Complainant stated that they gave the Councillor four opportunities to desist in their persistent and continuous verbal tirade and, in the Complainant’s opinion, highly unprofessional behaviour.</p> <p>On the fifth and final occasion, the Complainant stated they raised their voice over that of the Councillor so that everyone present could hear the Complainant say “Councillor, if you do not stop, I will have no alternative but to adjourn the meeting”. The Complainant stated</p>	

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			<p>that, at this point, the Councillor strode out of the room, along with about ten other attendees.</p> <p>The Standards Sub-Committee (Initial Assessment) can only deal with complaints regarding the alleged behaviour and conduct of a Member and, therefore, any issues raised in the complaint that are not covered by the Members' Code of Conduct will have to be referred through to the District Council's complaints system via the Head of Customer Services.</p>	
<p>13th November 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>Rosliston Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p>	<p>The Complainant stated that the Councillor showed an intimidatory and bullying attitude towards them on two occasions between 12th August and 15th September 2008.</p> <p>In relation to the incident on 12th August, the Complainant stated that they had told the Councillor that they felt they were being victimised and penalised due to the actions of the previous Clerk. The Complainant stated that the Councillor agreed with them and stated that this would also apply to all future Clerks. The Complainant stated that they had pointed out on a separate occasion that the Councillor was totally wrong to question the capability of both the Complainant and any future Clerk because the Council had encountered problems in relation to previous Clerks.</p> <p>In relation to the incident on 15th September 2008, the Complainant stated that the Councillor deputised for the Chairman at the Parish Council meeting. The Complainant stated that when the Minutes of the last</p>	<p>Paragraphs 3(1) and 3(2)(b) The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action. This decision was upheld by a Standards Sub-Committee (Review) on 22nd January 2009. The Members were:- Mr. P. Purnell (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>

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			<p>meeting were due to be agreed, the Councillor asked the other Councillors if they were in agreement with them and they all said they were. However, the Complainant stated that the Councillor had said that they were not, and they aggressively criticised the Complainant in a very demeaning manner over two, in the Complainant's view, very minor points.</p> <p>The first point was the fact that the Complainant had used the term "the Clerk" in most instances and, apparently, "I" in some others. Apparently, the Councillor challenged the use of the third and first party reference in the same document and stated that they wanted this changed.</p> <p>The Complainant explained how the error had occurred and stated that they did apologise to the Councillor and stated that it was not intentional and was purely an oversight.</p> <p>The second point the Complainant raised concerned a planning application that had been discussed at the July Parish Council meeting. The Councillor challenged the Minutes in relation to a particular application as "no objections" because the Councillor stated that they had raised a point about the height of the property.</p> <p>The Complainant stated that they had specifically stated to the Chairman "Do I take it that there were no objections?" and the Chairman agreed, so that was why the Complainant had recorded "no objections". The</p>	

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			<p>Complainant stated that they had asked the Councillor what the relevance of this was, as they already knew that the application had been refused, but no response was given and the Councillor then proceeded to sign the Minutes without any amendments being made.</p> <p>The Complainant stated that they were upset by the Councillor's attitude towards them and had asked the Councillor why they were treating the Complainant in this manner and the Councillor replied that as the Complainant wanted everything done in a lawful manner, the Councillor would do the same.</p> <p>The Complainant stated that the Councillor's aggressive and dominating attitude towards them had continued throughout the meeting. The Complainant went on to state that they wanted to try and resolve the issue and, therefore, after the meeting, raised this point with them.</p> <p>The Councillor stated that they objected to the changes that the Complainant was putting in place. The Complainant stated that they were purely attempting to ensure that all Council administration procedures would be conducted in a lawful manner. At this stage, the Councillor informed the Complainant that no-one else liked the changes made and that the Councillor wanted it all to return to the way it was before. As a result of this conversation, the Complainant felt that the only reason the Councillor had raised the two points above was that they wanted to find something wrong so that they could have a reason to criticise and ridicule the Complainant.</p>	

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<p>13th November 2008 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>Rosliston Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p>	<p>The Complainant stated that the Councillor has developed a highly negative and hostile attitude towards them. This, the Complainant claims, was clearly demonstrated by the contents of an e-mail that the Councillor sent out to two other Councillors and, inadvertently, to the Complainant after an Extraordinary Parish Council Meeting held on 6th October 2008.</p> <p>The Complainant stated that the e-mail was both personally insulting and derogatory towards them and was obviously not meant for the Complainant's eyes.</p> <p>The Complainant stated that the Councillor's attitude towards them has escalated over the last couple of months and is, in the Complainant's view, because they have been attempting to obtain recompense for having used their home as an office over the previous 12 months, which the Complainant has stated that the Councillor has made it very clear that they do not consider the Complainant is entitled to.</p> <p>The Standards Sub-Committee (Initial Assessment) can only deal with complaints regarding the alleged behaviour and conduct of a Member and, therefore, issues raised in the complaint that are not covered by the Members' Code of Conduct, such as queries regarding employment matters, cannot be considered.</p>	<p>Paragraph 3(1) The information provided by the Complainant was not sufficient to refer the complaint for investigation or other action.</p> <p>This decision was upheld by a Standards Sub-Committee (Review) on 22nd January 2009. The Members were:-</p> <p>Mr. P. Purnell (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>

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<p>26th November 2008 Mr. D. Williams (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>	<p>District Councillor</p>	<p>Paragraphs 9, 10 and 12 Failure to disclose a personal and prejudicial interest.</p> <p>Paragraph 13 Failure to register personal interests in the Register of Interests</p>	<p>The Complainant was alleging that the Councillor had failed to disclose a personal and prejudicial interest relating to a planning application during a planning committee meeting and had also failed to register business interests in the Register of Interests.</p>	<p>Paragraphs 9, 10, 12 and 13 Allegation referred to the Monitoring Officer for investigation.</p> <p>A Sub-Committee (Consideration) was held on 22nd April 2009 which accepted the recommendation that there had been no breach of the Code. The Members were:-</p> <p>Mr. P. Dawn (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>
<p>26th November 2008 Mr. D. Williams (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p>	<p>The Complainant alleged that the Councillor had breached aspects of the Code of Conduct and the Complainant sought to provide information about the alleged breaches in a letter dated 16th October 2008, which had originally been sent by the Complainant to The Standards Board for England.</p> <p>In summary, the Complainant referred to a (Parish Council) meeting held on 7th October 2008 in which he</p>	<p>Paragraphs 3(1) and 3(2)(b) Allegation referred to the Monitoring Officer for investigation.</p>

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

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			<p>alleged that the Councillor had displayed “aggression, bullying, negativity and unco-operativeness towards the temporary Clerk”.</p> <p>The Complainant stated that the Councillor’s behaviour showed examples of “extreme rudeness and blatant bullying” and that the Councillor had been negative towards suggestions made by other Parish Councillors during other meetings.</p> <p>The main complaint was in relation to the Councillor’s behaviour during the Parish Council meeting held on 7th October 2008. He gave an example of the Councillor’s behaviour by stating that the Councillor had introduced an item which had not been on the Agenda and had produced a letter given to the Councillor by a parishioner which related to trees along the parishioner’s boundary.</p> <p>The Complainant stated that the Councillor had, “with all guns blazing, demanded why the Clerk had written to the Derbyshire County Council instead of to the owner of the land, as requested” and had “demanded, extremely forcefully, that the Clerk contact the County Council to make sure they did not take any immediate action.”</p> <p>The Complainant stated that the Councillor “made powerful accusations and bullied in a vicious manner...”</p>	

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p>10th February 2009 Mr. D. Williams (Chairman) Mr. T. Thompson Mr. K. Fairbrother</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p>	<p>The complainant states that he believes that the Councillor's behaviour is both improper and unethical. The complainant makes reference to the December meeting of Barrow upon Trent Parish Council when a new Clerk started with the Authority. The complainant states that the Councillor made several sharp comments with regard to the Minutes (of the previous meeting, serviced by a different person) and the format of the Agenda. The complainant states that the new Clerk was visibly shaken by the onslaught and the public present were shocked.</p> <p>At the next meeting on 6th January 2009, the complainant stated that the Councillor had requested certain items to be removed, and explained that they had never seen Minutes like this before. The complainant stated that the Councillor's manner was abusive and aggressive and the implication that the Clerk was not doing the task correctly went, in the complainant's opinion, far beyond the normal cut and thrust of Council debate. The complainant stated that when it came to the time to sign the cheque for the Clerk's salary and expenses, the Councillor objected, saying they had not seen the detailed account of expenses before the meeting and would, therefore, not sign.</p> <p>The complainant stated that the continual aggression and sniping at the Clerk meant that for a large part of the meeting, the Clerk was, in his opinion, obviously deeply distressed and could be seen fighting back tears.</p>	<p>Paragraphs 3(1) and 3(2)(b) The information provided by the Complainant was not considered to be sufficiently serious to be referred for investigation or other action, nor in the public interest, given the fact that the subject Member is no longer a Councillor of the Parish Council.</p> <p>This decision was upheld by a Standards Sub-Committee (Review) on 22nd January 2009. The Members were:- Mr. P. Dawn (Chairman) Mr. K. Overton Cllr. Mrs. A. Hood</p>

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p>10th February 2009 Mr. D. Williams (Chairman) Mr. T. Thompson Mr. K. Fairbrother</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 3(2)(b) You must not bully any person.</p>	<p>The complainant states that at the meeting of Barrow upon Trent Parish Council on Tuesday, 6th January 2009, the Councillor appeared to have no interest in other people’s opinions, was unco-operative, aggressive and rude throughout the meeting.</p> <p>The complainant stated that the Councillor made an inexcusable verbal attack on the Clerk, which clearly upset her. The Councillor had said words like “<i>have never seen Minutes like this before</i>” and she refused to sign the Clerk’s salary and expenses cheque.</p> <p>The complainant stated that it was the way in which the Councillor acted, rather than what was actually said. The complainant claims that the Councillor showed no compassion when they saw the Clerk’s tears, sitting back in their chair and grinning. The complainant claimed that these sort of bullying tactics were neither appropriate or helpful and that they found it disturbing that an employee of the Council should be exposed to this sort of behaviour from an experienced Councillor.</p>	<p>Paragraphs 3(1) and 3(2)(b) The information provided by the Complainant was not considered to be sufficiently serious to be referred for investigation or other action, nor in the public interest, given the fact that the subject Member is no longer a Councillor of the Parish Council.</p>
<p>10th February 2009 Mr. D. Williams (Chairman) Mr. T. Thompson Mr. K. Fairbrother</p>	<p>Barrow-on-Trent Parish Councillor</p>	<p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The complainant states that at the December 2008 meeting of Barrow upon Trent Parish Council, the Clerk reported that she was unable to locate any records or statements relating to a bank account which contains the majority of Council funds, which had been set up by a previous Clerk at the request of the Parish Council.</p> <p>The complainant stated that the bank account paperwork was missing from the documents handed</p>	<p>Paragraphs 5 and 6(b)(i) Allegation referred to the Monitoring Officer for investigation.</p>

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
		<p>Paragraph 6(b)(i) You must, when using or authorising the use by others of the resources of your authority, act in accordance with your authority's reasonable requirements.</p>	<p>over by the previous permanent Clerk, who had resigned at short notice in April 2008.</p> <p>The Parish Council asked the Clerk to enquire of the bank about the account and to obtain a statement.</p> <p>Just prior to the January 2009 meeting, the Clerk reported to the complainant that she had been informed by an employee of the bank that the account had only two signatories and that the account had been set up such that it required only one signature to release funds. The complainant states that the Councillor must have been aware of this when they signed the account mandate.</p> <p>The complainant stated that they raised this issue during the January 2009 meeting in the public session, expressing concern that the account had not been set up in accordance with the Parish Council Financial Regulations. The complainant stated that the Councillor had said that this was to enable the previous Clerk to move money easily. The complainant stated that, upon hearing this, she pointed out to the Councillor and the meeting that it was never acceptable for public funds to be accessible by only one signatory and that this was in direct contravention of the Parish Council Financial Regulations.</p> <p>The complainant stated that the Councillor had a disregard of financial probity.</p>	

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p>16th March 2009 Mr. D. Williams (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>District Councillor</p>	<p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p> <p>Paragraph 6(a) You must not use, or attempt to use, your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.</p> <p>Paragraphs 9, 10 and 12 Failure to disclose a personal and prejudicial interest.</p>	<p>The complainant alleges that the Councillor failed to declare an interest in the agenda item relating to enforcement action against the complainant, despite the fact that the complainant alleges that the Councillor knows them well through their attendance at the Parish Council, of which the complainant is a Member.</p> <p>The complainant states that the Councillor had been informed that the complainant had provided a statement against the Councillor in a previous complaint.</p> <p>The complainant stated that the Councillor should not have remained in the Chamber when the item involving the complainant was discussed and it is claimed that the Councillor acted in a wholly inappropriate manner, by failing to declare their interest in the agenda item, failing to leave the Chamber, bringing their office and membership of the Development Control Committee and the Council into disrepute.</p>	<p>Paragraphs 5, 6(a), 9, 10 and 12 Allegation referred to the Monitoring Officer for investigation.</p>

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p>22nd April 2009 Mr. P. Dawn (Chairman) Mr. K. Fairbrother Cllr. Mrs. J. Mead</p>	<p>District Councillor</p>	<p>Paragraph 3(1) You must treat others with respect.</p> <p>Paragraph 5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The complainant alleges that at a Meeting of the Etwall Leisure Centre Joint Management Committee held on 23rd March 2009, the Councillor ignored established and expected protocols of committee conduct and debate; constantly speaking across and over comments that the complainant, as Chairman, was endeavouring to make as he managed the meeting and as he attempted to broker a compromise between speakers.</p> <p>The complainant stated that the Councillor's frequent interruptions as he was speaking caused him twice to politely ask for "<i>respect for the Chair.... please</i>".</p> <p>The complainant claimed that a proposal for a short adjournment of the decision on naming the new leisure centre was formally moved and seconded. This proposal, he went on to state, was eventually determined only after further heated discussion during which the complainant, as the Chairman, continued to be interrupted by the Councillor, as he explained on more than one occasion the fact that the Committee had before it a proposal for determination.</p> <p>The complainant stated that the proposal was eventually put to the meeting and was carried in majority.</p> <p>The complainant stated that two members of the public who were present at the meeting expressed their dissatisfaction with the outcome and declared they would leave the meeting.</p>	<p>Paragraphs 3(1) and 5 The information provided by the Complainant was not sufficiently serious to refer the complaint for investigation or other action</p>

SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
			<p>The complainant stated that, to his considerable surprise, the Councillor then stood up and declared that they were also leaving the meeting, that they wished to have the fact recorded and that “we” had wasted their time.</p> <p>The complainant stated that the Councillor’s conduct was unacceptable. He went on to state that they demonstrated a determined refusal to respect and embrace the democratic process that they had been elected to serve, and failed to respect and embrace the practice and protocol of resolving disagreements by discussion and majority vote.</p> <p>The complainant went on to state that the Councillor had compounded their earlier unacceptable disrespectful conduct to himself as the Chairman, the meeting and the democratic process by their abrupt departure and the comments made as they left the meeting. The complainant states that the Councillor failed to show respect to the Chairman of the Committee and that by their actions, brought both their office of an Elected Member and the Authority into disrepute.</p>	