

**DORSET COUNCIL - AUDIT AND GOVERNANCE (HEARING) SUB-COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 12 AUGUST 2020**

**Present:** Cllrs Bill Pipe (Chairman), Richard Biggs and Bill Trite

**Also present:** Cllr Mike Parkes

**Officers present (for all or part of the meeting):**

Grace Evans (Head of Legal Services and Deputy Monitoring Officer), Roger Greene (Litigation Lawyer and Investigating Officer) and Fiona King (Democratic Services Officer)

**9. Election of Chairman**

Councillor Bill Pipe was elected as Chairman for the meeting of the Sub-Committee

**10. Apologies**

There were no apologies for absence.

**11. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

Whilst Cllrs Pipe and Trite had no financial or personal interest in the cases, it was highlighted that they were of the same political party as 4 of the councillors concerned in Agenda item 8. Both members did not consider themselves biased or predetermined in any way and this would not have any effect on their reasoning or conclusion of the matters on the agenda today.

**12. Hearing Sub-Committee Terms of Reference and Dorset Council Member Complaint Process**

All present noted the Hearing Sub-Committee Terms of Reference and Dorset Council Member Complaint process.

**13. Exempt Business**

**Decision**

That the hearing for all of the complaints being considered be held in an open meeting.

**14. Code of Conduct Complaint 1**

The Investigating Officer highlighted his background and the reasons why he had been approached to investigate complaints about elected members on behalf of Dorset Council.

The Chairman highlighted to members the actions that could arise from this meeting; whether to accept the conclusion of the Investigating Officer, to refer for informal resolution or decide if a full hearing was warranted.

The Sub-Committee received the Investigating Officer's report in respect of a complaint against a councillor from Ferndown Town Council that had been received by the Monitoring Officer.

Members of the Sub-Committee were advised that prior to the meeting the complainant had withdrawn the complaint due to a duplication of complaint.

**Decision**

The Sub-Committee accepted the withdrawal and that no further action was required.

**15. Code of Conduct Complaint 2**

The Sub-Committee received the Investigating Officer's report in respect of a complaint against a councillor from Ferndown Town Council that had been received by the Monitoring Officer.

The complaint was in respect of a disclosure of confidential information without consent.

The officer advised that an apology had been received from Cllr Hanson Graham which Mr Beale, the complainant, had accepted but it was still for members of the Sub-Committee to decide if this was a satisfactory outcome. If members decided they wished to consider any other options the matter would have to be held at a full hearing, at a later date.

Cllr Pipe felt there was a degree of discrepancy in what had been said and did not feel the apology given was sincere. He felt the councillor knew that the information was commercially sensitive but still chose to share the information at the Town Council meeting and as a result felt the relationship between the Town Council and Mr Beale had been soured.

Cllr Biggs commented that whilst this was not an unreserved apology there was no public benefit to dragging it on for any further remedy.

Cllr Trite felt that councillor should have foreseen the problem and embarrassment to the Council that the disclosure caused. He had ignored attempts from other councillors to try and stop him from disclosing. An apology had been offered and accepted and he agreed with Investigator's report.

Following a question from the Chairman about whether the sub-committee could recommend that the councillor send a written apology to the Mayor and Town Council, the investigating Officer advised he would be concerned if this was requested about how it could be enforced.

### **Decision**

That the Sub-Committee unanimously agreed to accept the investigator's findings and conclusion of the report and that no further action be taken.

## **16. Code of Conduct Complaint 3**

The Sub-Committee received the Investigating Officer's report in respect of a complaint against four councillors from Ferndown Town Council that had been received by the Monitoring Officer.

The complaint was in respect of misuse of council resources and the Investigating Officer described the issues that had led to the complaint. It was also highlighted that all 4 councillors were from the same political party.

The Investigating Officer had invited the councillor to meet with him but this had been declined. The 2018 version of the Code of Conduct for Ferndown Town Council had been circulated to members to replace the 2019 version which had been included in the report in error. The Investigating Officer confirmed that the investigation had considered the correct 2018 Code. Members were advised that the responses included in the papers were the actual responses given.

Members' attention was drawn to the fact that all 4 councillors had rebutted the allegation and that the original complaint was ill conceived. The Investigating Officer felt that whilst there may be remedies to be sought elsewhere the complaint was not a breach under the Code of Conduct for Ferndown Town Council.

Cllr Pipe highlighted an invoice had been cited on the printing and was content to accept the recommendation.

Cllr Biggs advised that as a councillor from a different party he had looked at this very closely and was satisfied the evidence was flimsy and been suitable challenged. He also agreed with recommendation.

### **Decision**

That:

1. The Sub-Committee unanimously agreed to accept the investigator's findings and conclusion of the report; and
2. The complaint was dismissed.

## **17. Urgent Items**

There were no urgent items of business.

**Duration of meeting:** 2.00 - 2.30 pm

**Chairman**

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