

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Hearings Sub-Committee - Epping **Date:** Tuesday, 31 March 2009
Forest Standards Committee

Place: Committee Room 2, Civic Offices, **Time:** 7.00 - 8.50 pm
High Street, Epping

Members Present: G Weltch (Independent Member) (Chairman), Ms M Marshall (Independent Member), B Rolfe (Epping Forest District Council Appointee)

Other Councillors: M Cohen, Ms S-A Stavrou

Apologies:

Officers Present: C O'Boyle (Monitoring Officer), I Willett (Deputy Monitoring Officer) and G Lunnun (Allegations Determination Manager)

1. QUORUM

The Chairman reported that as the three members of the Sub-Committee were all present, the meeting was quorate.

2. WELCOME AND INTRODUCTIONS

The Chairman welcomed those present and invited them to introduce themselves.

Councillor Ms S-A Stavrou advised that she would be represented by Councillor M Cohen.

The Chairman advised that the purpose of the meeting was to consider an alleged breach of the District Council's Members' Code of Conduct by Councillor Ms S-A Stavrou.

3. DECLARATIONS OF INTEREST

Councillor Cohen advised that he was the District Council's Portfolio Holder for Corporate Support and ICT Services and that Miss C O'Boyle was the Council's Director of Corporate Support Services as well as Monitoring Officer. He stated that he did not consider this represented a conflict in this case as Miss O'Boyle had not undertaken the investigation into the allegations.

4. EXCLUSION OF PRESS AND PUBLIC

The Chairman invited Councillor Ms S-A Stavrou and Mr I Willett, Investigating Officer to make representations about whether the press and public should be excluded from the meeting and whether full copies of the agenda and reports should be made available to the representative of the press and members of the public present at the meeting.

Both Councillor Ms Stavrou and Mr Willett stated that they had no objection to the meeting being held in public with full copies of the agenda and reports being made

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available to the representative of the press and members of the public present at the meeting.

The Sub-Committee considered the views made by Councillor Ms Stavrou and Mr Willett. Account was also taken of the advice issued by the Standards Board for England regarding the admission of the press and public to meetings of this nature. The Sub-Committee decided that there was nothing in the Investigating Officer's report which was either confidential or exempt information as defined in the Local Government Act 1972.

RESOLVED:

- (1) That the press and public be not excluded from the meeting; and
- (2) That full copies of the agenda and reports be made available to the representative of the press and members of the public present at the meeting and that those documents be published on the Council's website.

5. LOCAL ASSESSMENT CASES 1/2008 AND 3/2008

(a) Procedure and Witnesses

The Chairman informed the meeting that an allegation about the conduct of Councillor Ms Stavrou had been investigated on behalf of the Monitoring Officer by Mr I Willett (Deputy Monitoring Officer) who was present at the meeting to present his report.

The Chairman outlined the procedure to be adopted at the hearing. He indicated that the process would follow closely to the model procedure of the Standards Board for England and he outlined three key stages of the hearing. First, consideration of the facts of the matter; followed by consideration of whether, in the light of the facts, there had been a breach of the Council's Code of Conduct; and finally, if the Sub-Committee found that there had been a breach, consideration of the sanctions, if any, which were considered appropriate. He indicated that the Sub-Committee was likely to go into private session to discuss its findings after taking evidence in public, but that the Sub-Committee's findings would be announced in public session at the end of each key stage of the hearing. He emphasised that there would be no cross-examination but that the parties would be able to ask each other questions directed through him. Councillor Ms Stavrou and Mr Willett signified their agreement to the procedure outlined.

The Chairman drew attention to the following documents which had been circulated:

- (a) the report of the Investigating Officer; and
- (b) the pre-hearing process statement.

(b) Findings of Fact

The Chairman invited Mr Willett to introduce his Investigating Officer's report and to outline the facts of the case as set out in that report.

Mr Willett advised that his report concerned two complaints by Mr R Wood and Mr and Mrs S Wood respectively. He explained that the subject of the complaints had been an incident which had taken place on 3 June 2008 in Mott Street,

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Waltham Abbey outside the home and business premises of Mr and Mrs S Wood known as Lira Beechside Nursery.

Mr Willett drew attention to his summary of the complaints. Mr R Wood had alleged that Councillor Ms Stavrou had been verbally abusive to him and having asserted that she was a District Councillor had stated that she would get the fence removed from the frontage of Lira Beechside Nursery and would get the nursery shut down. Mr and Mrs S Wood had reiterated the complaint by Mr R Wood and had coupled this with a further allegation that the alleged threat to close down their nursery was evidence of victimisation against them.

Mr Willett stated that he had been directed by the Assessments Sub-Committee to five potential breaches of the Code of Conduct. In undertaking his investigation he had conducted interviews, both in person and over the telephone with the complainants, witnesses and an officer of Essex Highways. He had also examined the District Council's Planning file on Lira Beechside Nursery and the diary book kept by Councillor Ms Stavrou for constituents' enquiries. He had also reviewed other correspondence supplied by Waltham Abbey Town Council and emailed correspondence between Essex Highways involving Councillor Ms Stavrou and County Councillor Elizabeth Webster.

Mr Willett advised that in relation to the complaint by Mr R Wood he had established the following facts:

- (a) a traffic issue had occurred on 3 June 2008 involving three vehicles and a parked HGV outside Lira Beechside Nursery;
- (b) the incident had involved an angry confrontation between Councillor Ms Stavrou and Mr R Wood; the confrontation had been initiated by Councillor Ms Stavrou;
- (c) following the argument Councillor Ms Stavrou had driven along Mott Street and turned into Sewardstone Road to keep a hairdresser's appointment;
- (d) Mr R Wood had also driven along the same route following Councillor Ms Stavrou's departure;
- (e) Councillor Ms Stavrou had attended Finesse Hairdresser's for an appointment on 3 June 2008;
- (f) Councillor Ms Stavrou had not attended a site meeting involving Mr Barrett of Essex County Council Highways on 11 September 2008 following an accident outside of Lira Beechside Nursery on 7 May 2008.

Mr Willett continued by advising of matters relating to Mr R Wood's complaint which he believed had not been established:

- (a) whether Councillor Ms Stavrou had referred to herself as a Councillor in the argument outside Lira Beechside Nursery on 3 June 2008;
- (b) the exact language used by Councillor Ms Stavrou during that argument;
- (c) whether a second argument had taken place between Councillor Ms Stavrou and Mr R Wood near Finesse Hairdresser's after the incident outside of Lira Beechside Nursery on 3 June 2008.

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Mr Willett reported that in relation to the complaint by Mr and Mrs S Wood he had discounted their comments about the incident outside Lira Beechside Nursery on 3 June 2008 as they had confirmed that they had not heard what had taken place. In relation to their allegation of victimisation by Councillor Ms Stavrou he had established the following facts:

- (a) Mott Street was situated in the Waltham Abbey High Beech Ward for which Councillor Ms Stavrou was the elected member on Epping Forest District Council;
- (b) Councillor Ms Stavrou had been involved in a traffic accident in Mott Street in February 2008;
- (c) Councillor Ms Stavrou had witnessed the results of a traffic accident outside Lira Beechside Nursery in May 2008;
- (d) Councillor Ms Stavrou had no personal responsibility for highway matters, her sole interest arising through being the ward councillor;
- (e) County Councillor Mrs E Webster had conducted most correspondence with Essex County Highways following representations by a local farmer and Councillor Ms Stavrou;
- (f) Councillor Ms Stavrou had responded directly with Mr Barrett of Essex Highways in her representative role for the High Beech Ward;
- (g) Essex County Highways might well regard the low fence outside Lira Beechside Nursery as an unauthorised highway encroachment;
- (h) approval by Epping Forest District Council as local planning authority to the fence had not been required as it was less than two metres in height.

The Chairman invited Councillor Ms Stavrou and her representative Councillor Cohen if they wished to ask Mr Willett any questions regarding his findings of fact.

Councillor Cohen drew attention to Mr Willett's oral summary of the facts at this meeting during which he had stated that Councillor Ms Stavrou had initiated the confrontation outside of Lira Beechside Nursery on 3 June 2008. He contrasted this statement with Mr Willett's written report (paragraph 7.1 (c)) which stated "Councillor Stavrou was first to leave her car and approach Mr R Wood, following which the argument ensued". Councillor Cohen then drew attention to the initial letter of complaint by Mr R Wood dated 7 June 2008 in which Mr R Wood had stated "at first I thought she wanted directions or help". In the light of these statements Councillor Cohen asked Mr Willett if he accepted that Councillor Ms Stavrou's first approach had not been aggressive and that to state that she had initiated the confrontation was an exaggeration. Mr Willett said that he was concerned that Councillor Stavrou had left her vehicle and had approached Mr R Wood. He continued that he had not been present and could not comment on Councillor Ms Stavrou's intentions. He suggested an argument might not of ensued had Councillor Ms Stavrou not left her vehicle. Councillor Cohen asked Mr Willett if he stood by his written report (paragraph 7.1(c)) rather than the oral comments in relation to this matter he had made earlier at this meeting. Mr Willett confirmed that he did.

The Chairman invited members of the Sub-Committee to ask Mr Willett questions about his findings of fact.

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Ms Marshall drew attention to Councillor Ms Stavrou's written statement dated 15 September 2008 and asked Mr Willett if he had been in receipt of that statement when he had interviewed Mr and Mrs S Wood on 15 September 2008. Mr Willett said that he did not believe that he had read Councillor Ms Stavrou's statement at the time he had interviewed Mr and Mrs S Wood.

Ms Marshall asked Mr Willett if he had asked Mr R Wood about the alleged second incident close to Finesse Hairdresser's. Mr Willett said that the matter had not arisen until he received Councillor Ms Stavrou's statement but he had discussed it subsequently with Mr R Wood and Mr and Mrs S Wood.

The Chairman drew attention to Mr R Wood's letter of complaint dated 7 June 2008 in which he had stated that immediately following the confrontation with Councillor Ms Stavrou outside Lira Beechside Nursery he had gone back into his parents' house and had told them what had happened. The Chairman then contrasted this with Mr R Wood's comments in a telephone conversation with Mr Willett on 3 November 2008 in which he had admitted to driving off immediately after the incident to return to his home in Chingford. The Chairman asked Mr Willett for his views on this apparent contradiction. Mr Willett stated that before receiving Councillor Ms Stavrou's statement he had taken Mr R Wood's initial comment at face value. However, as the witnesses to the incident outside Lira Beechside Nursery had stated that Mr R Wood had driven off immediately after the incident in the same direction as Councillor Ms Stavrou he had subsequently reviewed the matter separately with Mr R Wood and Mr and Mrs S Wood. Mr R Wood on 3 November 2008 had said that he had driven off immediately after the incident. Mr S Wood had said he had questioned his son who had denied that a further confrontation had taken place with Councillor Ms Stavrou close to Finesse Hairdressers. Mr S Wood had stated that his son had conceded that he had driven along Sewardstone Road and could possibly have overtaken Councillor Ms Stavrou at high speed gesturing as he had passed her.

The Chairman invited Councillor Ms Stavrou and Councillor Cohen to make submissions in respect of the Investigating Officer's findings of fact.

Councillor Cohen stated the findings of fact set out in Mr Willett's written report were accepted. He submitted that the accounts of the complainants were full of inaccuracies and inconsistencies. He stated that he did not intend to dwell on this but asked the Sub-Committee to take note of his submissions.

The Chairman asked Mr Willett if he wished to ask Councillor Ms Stavrou and Councillor Cohen any questions about their submissions regarding the findings of fact.

Mr Willett advised that he did not wish to ask any questions.

The Chairman invited members of the Sub-Committee to ask Councillor Ms Stavrou and Councillor Cohen questions about their submissions regarding the findings of fact.

Ms Marshall asked Councillor Ms Stavrou to clarify her journey after leaving the incident outside Lira Beechside Nursery. Councillor Ms Stavrou stated that Mr R Wood had followed her and had overtaken her on Sewardstone Road. She said that she had indicated to turn left into Amesbury Drive when Mr R Wood had been a couple of cars in front of her and that he could have seen her indicating to turn left if he had been looking in his rear view mirror. Councillor Ms Stavrou stated

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that she thought Mr R Wood had approached her in Amesbury Drive from the left (Sewardstone Road). She stated that he had stopped adjacent to her vehicle and they had been elbow to elbow at the drivers' windows of their vehicles.

Ms Marshall drew attention to Councillor Ms Stavrou's comment that she thought Amesbury Drive was a cul-de-sac and asked about the significance of this comment. Councillor Ms Stavrou stated that she had been looking for a place to park and had realised that there was a road leading off Amesbury Drive going back towards Chingford. Prior to that she had always assumed that Amesbury Drive was a cul-de-sac. Councillor Ms Stavrou stated that she always parked in Amesbury Drive when attending the hairdresser's as there was no parking allowed in Sewardstone Road.

Ms Marshall asked Councillor Ms Stavrou if Mr R Wood's car was a BMW or a Mercedes. Councillor Ms Stavrou stated that she had no knowledge of cars and normally judged them by colour.

Ms Marshall asked Councillor Ms Stavrou if when outside Lira Beechside Nursery she had approached Mr R Wood at the passenger side or driver side of his vehicle. Councillor Ms Stavrou said she could not recall 100% but thought she had approached the driver's side.

The Chairman asked Councillor Ms Stavrou if she had spoken to anyone at the hairdresser's about the incident with Mr R Wood. Councillor Ms Stavrou stated she had been disturbed over the incidents when entering the hairdresser's but she was not one to speak to others about her problems. She said she thought she had made a comment like "I have had a journey to get down here" and may have made a passing reference to the incidents. She continued that on that day the whole salon had been talking about the wedding of one of the hairdressers. Councillor Ms Stavrou stated that she had spoken to her son about the incidents when she had arrived home.

The Chairman asked Councillor Ms Stavrou how she had paid for her hairdresser's appointment. Councillor Ms Stavrou stated that the hairdresser's only accepted cash or cheques and that the bookings diary was always completed in pencil due to the tendency to make last minute changes.

Councillor Rolfe asked Councillor Ms Stavrou if she had attended the hairdresser's on 3 June 2008. Councillor Mrs Stavrou stated that she had.

The Chairman advised that the Sub-Committee would consider in private session the facts of the case. The Sub-Committee left the meeting together with Miss O'Boyle and Mr Lunnun to consider the matter.

The Sub-Committee returned to the meeting and advised that they had accepted the findings of fact as set out in the written report of the Investigating Officer.

(c) Whether or not the member had breached the Code of Conduct

The Chairman announced the Sub-Committee would now consider whether, in the light of the facts, there had been breach of the Council's Code of Conduct. In response from an invitation from the Chairman, Mr Willett summarised the issues set out in his report.

In relation to the complaint by Mr R Wood, Mr Willett advised that he had assessed Councillor Ms Stavrou's obligations under the Code of Conduct. Paragraph 2(1) and (2) stated that councillors must comply with the provisions of the Code when

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ever they conducted the business of the authority including the business of the office to which they were elected or appointed to act, claim to act or give the impression of acting as a representative of their authority. He advised that these circumstances were deemed to be the councillor's official capacity and that, subject to some conditions relating to criminal convictions, the Code had no effect about conduct where a councillor was not acting in an official capacity.

Mr Willett advised that paragraph 3.1 (disrespect) and 3.2 (b) (bullying) of the Code would apply if Councillor Ms Stavrou had used bad language and used threats about the future of the nursery and had made it apparent that she had acting as a councillor. Similarly paragraph 5 (disrepute) would also apply in these circumstances.

Mr Willett stated that the crucial consideration for him had been the absence of clear evidence which confirmed that outside Lira Beechside Nursery, Councillor Ms Stavrou had presented herself as an elected councillor. He stated that Mr R Wood had given an account of the comments made by Councillor Ms Stavrou whilst she had remained silent about the words and phrases she had used. Mr Willett pointed out, however, that Councillor Ms Stavrou had denied that she had used the term councillor outside Lira Beechside Nursery on 3 June 2008. Mr Willett continued that the two witnesses in the vehicle following Councillor Ms Stavrou had submitted evidence about hearing bad language and witnessing a heated argument after Councillor Ms Stavrou had left her car to speak to Mr R Wood. However, neither witness had provided evidence of the term councillor being used or had made a detailed reference on what had been said.

Mr Willett advised that Councillor Ms Stavrou had contended that she had a second encounter with Mr R Wood later on 3 June 2008 in the vicinity of Finesse Hairdresser's. She had given evidence that it was during this argument that she had disclosed she was a councillor as a result of questions from Mr R Wood about her interest in a previous accident outside the nursery on 7 May 2008 and in the nursery generally. Mr Willett pointed out that Mr R Wood had stated that this alleged incident had not happened.

Mr Willett advised that he had established that Councillor Ms Stavrou had attended an appointment at Finesse Hairdresser's on 3 June 2008. He had also established Mr R Wood had overtaken Councillor Ms Stavrou on the Sewardstone Road gesturing to her as he did so. Accordingly, he had concluded that there was circumstantial evidence that both Councillor Ms Stavrou and Mr R Wood could have been in the vicinity of the hairdresser's that morning. However, there were no independent witnesses to this alleged second incident.

Mr Willett said that he had concluded that the incident outside of the nursery could best be characterised as road rage. He said that he felt Councillor Ms Stavrou's action in seeking to remonstrate with Mr R Wood outside of the nursery had been unwise but doubts about the evidence made him unable to conclude that there had been a breach of the Code.

The Chairman invited Councillor Ms Stavrou and Councillor Cohen to question Mr Willett about his conclusions as to whether or not there had been a breach of the Code of Conduct in respect of the complaint by Mr R Wood.

Councillor Cohen asked Mr Willett about the standard of proof required in relation to these matters. Mr Willett stated that breach of the Code of Conduct would be significant for an elected member and in his view a better standard of evidence was required than was available in this case.

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Councillor Cohen asked Mr Willett if he felt satisfied that he had judged the evidence fairly. Mr Willett said he hoped he had but it would be for Mr R Wood and Mr and Mrs S Wood to decide.

Members of the Sub-Committee advised that they had no questions to ask Mr Willett in relation to whether or not the member had breached the Code of Conduct regarding the complaint from Mr R Wood.

The Chairman invited Councillor Ms Stavrou and Councillor Cohen to make submissions about whether there had been a breach of the Code of the Conduct in relation to the allegation by Mr R Wood.

Councillor Cohen submitted in order for there to be a breach, whatever the findings of fact, there was a requirement that Councillor Ms Stavrou had been acting in the position of councillor or on official Council business. He pointed out that the argument between Councillor Ms Stavrou (an older lady) and Mr R Wood (a young man) had arisen from a road traffic incident. He stated that Councillor Ms Stavrou accepted that she had used bad language which perhaps she should not have done but the circumstances had arisen from a personal issue and not whilst Councillor Ms Stavrou had been acting in an official capacity. In such circumstances, the only way in which there could have been a breach of the code could have been if Councillor Ms Stavrou had been summonsed or charged or convicted of an offence in relation to the incident. Councillor Cohen also pointed out in relation to the incident that if there had been a charge against Councillor Ms Stavrou there were statutory defences and subjective tests needing to be applied in accordance with the Public Order Act 1984 and that if those tests were applied it could well be held Councillor Ms Stavrou had acted reasonably in all of the circumstances. He submitted that for all of these reasons there had been no breach of the Code of Conduct in relation to the complaint by Mr R Wood.

The Chairman invited Mr Willett to question Councillor Ms Stavrou and Councillor Cohen about their submissions as to whether or not there had been a breach of the Code of Conduct in relation to the complaint by Mr R Wood.

Mr Willett advised that he had no questions.

The Chairman asked Councillor Cohen if he was claiming that Councillor Ms Stavrou had given as good as she had got in the incident with Mr R Wood. Councillor Cohen responded that in his view if the incident had gone further, Councillor Ms Stavrou would not have stood alone in Court.

The Chairman invited Mr Willett to summarise his views on whether there had been a breach of the Code of Conduct in relation to the complaint by Mr and Mrs S Wood.

Mr Willett advised that the complainants had alleged in essence, victimisation by Councillor Ms Stavrou against their nursery business. Mr Willett drew attention to the facts which he had established and his assessment of the evidence. The fence had first been raised with Councillor Ms Stavrou in August 2005 by Mr S Wood himself following a site visit by a Planning Officer. Subsequently, the location and the potential for a highway/road safety problem may have been reinforced in Councillor Ms Stavrou's own mind by her own traffic accident there and by witnessing the result of a further accident. Mr Willett pointed out that concern about the planning status of Mr and Mrs S Wood's nursery had been raised with the District Council as long ago as 2002 at about the time Councillor Ms Stavrou had first become a district councillor. A query had been raised by a local resident and there was no

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evidence that Councillor Ms Stavou had been involved at that time. A second enquiry had been raised in 2005 with the District Council about the fence again by a local resident. Although a site inspection had taken place, with the official concerned commenting on the planning position, the question of highway approval had not been a matter that was within the responsibilities of the District Council.

Mr Willett advised that in his view the suggestion of victimisation by Councillor Ms Stavrou might have had greater credibility if a claim about an unauthorised highway encroachment had been unjustified. However, it was apparent from an interview with a County Council officer that there was substance in Councillor Ms Stavrou's concerns about the narrowing of the carriageway and the road safety implications. He advised that Councillor Ms Stavrou's direct approach to the County Council officer seemed to have been borne out of a sense of frustration about the period of time that it was taking the County Council to resolve the matter.

Mr Willett advised that Mr S Wood in maintaining that he was being victimised by Councillor Ms Stavrou had cited an action over similar situations in Mott Street which were not being pursued. Mr Willett advised that in his view the action about alleged incursions at other locations was consistent with what he had been advised by the County Council officer about the complaint orientated policy of Essex Highways. If no complaint had been made, the County Council might not have taken any action.

Mr Willett concluded by stating that in his view Councillor Ms Stavrou had done nothing which was inconsistent with the proper role of a ward councillor.

Neither Councillor Ms Stavrou nor Councillor Cohen nor Members of the Sub-Committee asked Mr Willett questions about this part of his report.

The Chairman invited Councillor Ms Stavrou and Councillor Cohen to make submissions about whether there had been a breach of the Code of Conduct in relation to the complaint by Mr and Mrs S Wood.

Councillor Cohen quoted from Paragraph 6 of the Code of Conduct – "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". He submitted that if the word "improperly" were removed from that requirement the work of a councillor would be impossible. He pointed out that councillors had to use their position to advantage or disadvantage residents and that the word "improperly" was all important. He pointed out that Councillor Ms Stavrou had prompted Essex County Council to take action, something which they should perhaps have done earlier. He submitted it was clear that the Highway Authority had concerns about the narrowing of the carriageway and the safety implications and that it had been entirely proper for Councillor Ms Stavrou to pursue these matters through the local County Councillor.

The Chairman invited Mr Willett to question Councillor Ms Stavrou and Councillor Cohen regarding their submissions as to whether there had been a breach of the Code of Conduct in relation to the complaint by Mr and Mrs S Wood.

Mr Willett advised that he did not wish to ask any questions.

The Chairman asked Councillor Ms Stavrou if County Councillor Mrs Webster had taken up the highway issue in the same ways as other highway issues. Councillor Ms Stavrou confirmed that this had been the case.

The Chairman advised that the Sub-Committee would consider in private session, whether, in the light of the facts, there had been a breach of the Council's Code of

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Conduct in relation to the complaints. The Sub-Committee left the meeting together with Miss O'Boyle and Mr Lunnun.

The Sub-Committee returned to the meeting. The Chairman advised that account had been taken of the submissions of both parties. He advised that the Sub-Committee had determined that there was insufficient evidence to find that the member had been acting as a councillor in her official capacity during the incident on 3 June 2008 and that, both in relation to that incident and the manner in which the member had conducted her role as councillor in relation to the Lira Beechside Nursery there was no evidence that she had breached her obligations under the Code. Accordingly, the Sub-Committee had determined that the member had not failed to follow the Council's Members' Code of Conduct.

(d) Sanctions

In the light of these findings, the Chairman further advised that as it was considered there was no breach of the Code of Conduct the question of sanctions did not arise.

He pointed out that the Sub-Committee had noted the positive steps taken by Councillor Ms Stavrou i.e. she had attended training on confrontational situations; she had offered to apologise for her participation in the argument outside Lira Beechside Nursery and had passed responsibility for casework regarding the nursery to a fellow Cabinet Member.

(e) Publication of Decision

In the light of the Sub-Committee finding of no failure to comply with the Code of Conduct, the Chairman asked Councillor Ms Stavrou if she wished to prohibit normal publication of a notice in the press and on the Council's website.

Councillor Ms Stavrou said that she did not wish to prohibit publication of such a notice.

(f) Recommendations regarding standards of conduct

The Chairman advised that on this occasion the Sub-Committee did not wish to make any recommendations to Council with a view to promoting high standards of conduct among councillors.

RESOLVED:

(1) That in relation to the allegations there is insufficient evidence to substantiate a finding of a breach of the Code of Conduct by Councillor Ms Stavrou in relation to:

- (a) paragraph 2(1) (b) – acting, claiming to act or giving the impression of acting as a representative of an authority;
- (b) paragraph 3(1) – treating others with respect;
- (c) paragraph 3(2)(b) – bullying any person;
- (d) section 5 – disrepute;

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- (e) section 6(a) – using the position of Councillor to secure a disadvantage for any person;

- (2) That the Monitoring Officer, in consultation with the Chairman of the Sub-Committee produce a full decision of the Sub-Committee and send copies of that decision to Councillor Ms Stavrou, Mr R Wood, Mr and Mrs S Wood and the Standards Board for England; and

- (3) That the Monitoring Officer arrange for notice of the Sub-Committee’s decision to be published in a local newspaper and on the Council’s website.

CHAIRMAN