

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Assessment Subcommittee - **Date:** 2 February 2012  
Epping Forest District Standards  
Committee

**Place:** Group Room, Room 1.19, First **Time:** 4.00 - 4.40 pm  
Floor, Civic Offices, High Street,  
Epping

**Members Present:** R Crone (Chairman), Mrs A Grigg and B Surtees

**Other Councillors:**

**Apologies:**

**Officers Present:** C O'Boyle (Monitoring Officer) and S G Hill (Local Assessment Officer)

### 6. DECLARATIONS OF INTEREST

No Declarations of Interest were made at the meeting pursuant to the Council's Code of Member Conduct.

### 7. MINUTES

**Resolved:**

That the minutes of the meetings of the Assessment Subcommittee held on 8 September 2011 be taken as read and signed by the Chairman as a correct record.

### 8. THE CODE OF CONDUCT AND ASSESSMENT CRITERIA

The Subcommittee noted the Council's Code of Conduct for Members and the recently revised Assessment Criteria agreed by the Standards Committee for Local Assessment cases.

### 9. EXCLUSION OF PUBLIC AND PRESS

**Resolved:**

That the public and press be excluded from the meeting for the item of business set out below on the grounds that it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

Agenda Item No	Subject	Exempt Information Paragraph Number
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**10. LOCAL ASSESSMENT CASE 5-2011 - REPORT OF ASSESSMENT OFFICER**

The Subcommittee considered a complaint made against a Town Councillor. Miss C O'Boyle (Monitoring Officer) was present at the meeting to advise the Subcommittee as required on details of the Code of Conduct and Local Assessment Criteria relative to the complaint and the procedure to be followed in order to ensure proper consideration was given to the complaint. Mr S Hill (Local Assessment Officer) was present at the meeting to outline the complaint for the Subcommittee and to record the decisions of the Subcommittee in relation to the complaint.

The Subcommittee had before them the following documents which were taken into consideration:

- (1) Complaint Form and attachments received 29 November 2011;
- (2) Letter from Local Assessments Officer dated 29 November 2011;
- (3) Further letter from Complainants and enclosures dated 12 December 2011;
- (4) Letter from Local Assessments Officer dated 22 December 2011;
- (5) Further letter from Complainants and enclosures dated 10 January 2012.

**Resolved:**

That, in accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-committee of the Standards Committee, having considered the complaint against their criteria for assessment, has decided that no action should be taken on the allegation for the following reasons:

- (1) There is no evidence of any direct or indirect contact to the complainant from the subject Councillor. His failure to respond to letters from the complainant is consistent with the resolution of his Council that no further complaint correspondence will be entered into with the complainant. This failure to respond, therefore, does not amount to prima facie evidence of a lack of respect amounting to a breach of the code of conduct.
- (2) The complaint contains no prima facie evidence of a breach of the Code by the subject Councillor as an individual namely that, by any other act, he has failed to show the complainant respect.
- (3) The Complainant has submitted no evidence to substantiate that the minutes of the committee the subject member chairs are incorrect insofar as they record what was said and agreed at that meeting regardless of whether the facts of the matter were originally erroneously reported.
- (4) The complainant alleges that the subject member has refused a request made by the complainant to seek to get, what she views, as an erroneously reported version of her complaint to the Local Council concerned remedied and that this action amounts to a lack of respect. The Subcommittee are of the view that this requested change was not within his powers as Chairman and the minutes concerned have now been confirmed by the relevant Committee as an

agreed record. In any event this is a procedural matter for the Local Council concerned over which the Standards Committee has no powers to determine or alter.

(5) The matter points to dissatisfaction with the Local Council decision, about the way the Council conducts or records its meetings rather than the conduct of an individual Councillor. The Local Council concerned has investigated the complainants concerns which has resulted a resolution of that Local Council that no further correspondence will be entered into with the complainant.

(6) The complaint, even if all the allegations made by the complainant were found to be true following investigation, would not, on the basis of the evidence provided, amount to a breach of the code of conduct and therefore an investigation would not serve a useful purpose sufficient to warrant any further action by the Assessment Subcommittee.

**CHAIRMAN**