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ASSESSMENT SUB COMMITTEE

Tuesday, 24 September 2024

ASSESSMENT SUB COMMITTEE

A meeting of the Assessment Sub Committee was held on Tuesday, 24 September 2024 at the Civic, Centre, Redcar TS10 1TD.

PRESENT Mr Monson (Chair and Independent Member)
Councillors P Berry and C Morgan.

OFFICIALS S Fenwick and C Stannard.

IN ATTENDANCE Mr Manship (Independent Person).

1 **APOLOGIES FOR ABSENCE**

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None received

2 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that the press and public be excluded from the meeting on the grounds that the following items contained exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

3 **DISCLOSURE/CONFLICTS OF INTERESTS (GUIDELINES ATTACHED)**

The Monitoring Officer circulated the Governance Committee Local Assessment/Conflicts of Interest Guidance for Members and Officers. The Sub-Committee considered the guidance and agreed that, in relation to the complaint, there were no conflict of interests of the Members or Officers in attendance - **NOTED**.

4 **THE CODE OF CONDUCT AND THE ARRANGEMENTS FOR DEALING WITH COMPLAINTS ABOUT THE CODE OF CONDUCT FOR MEMBERS**

For the Sub-Committee's information, the Monitoring Officer circulated a copy of the Code of Conduct and the arrangements for dealing with complaints about the Code of Conduct for Members: - **NOTED**.

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5 **REPORT INTO THE ALLEGATIONS OF A BREACH OF THE MEMBERS' CODE OF CONDUCT - CASE REFERENCES GC24/2024 AND GC26/2024**

The Sub-Committee considered two complaints that had been received in respect of a Borough Councillor.

Both complaints related to events arising from Councillor questions during a Borough Council meeting and subsequent email exchanges between the Subject Member and the Complainant.

The Sub-Committee discussed the complaint in detail and based its decision on all the information provided by the Complainant and the Subject member.

The views of the Independent Person were also taken into consideration.

RESOLVED that in accordance with Sections 28(6)(a) and 28(6)(b) of the Localism Act 2011, the Assessment Sub-Committee of the Governance Committee unanimously agreed that, in respect of Case Ref: GC/24/2024 and GC26/2024 the cases be referred to the Monitoring Officer for other action. Namely that the Monitoring Officer meets with the Councillor concerned to discuss the responsibilities of his role and particularly the consequences of copying correspondence to others.

6 **REPORT INTO THE ALLEGATIONS OF A BREACH OF THE MEMBERS' CODE OF CONDUCT - CASE REFERENCE GC11/2024**

The Sub-Committee considered a complaint that had been received in respect of a Parish Councillor.

The complaint concerned an Appeal Committee Hearing of Saltburn, Marske & New Marske Parish Council in July 2023 when the Complainant alleged that the Subject Member had breached the Code of Conduct by using inappropriate and discriminatory language.

The Sub-Committee discussed the complaint in detail and based its decision on all the information provided by the Complainant and the Subject member.

The views of the Independent Person were also considered by the Sub-Committee.

RESOLVED that in accordance with Sections 28(6)(a) and 28(6)(b) of the Localism Act 2011, the Assessment Sub-Committee of the Governance Committee unanimously agreed that, in respect of Case Ref: GC/11/2024, no further action be taken.

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7 **REPORT INTO THE ALLEGATIONS OF A BREACH OF THE MEMBERS' CODE OF CONDUCT - CASE REFERENCE GC13/2024**

The Sub-Committee considered a complaint that had been received in respect of a Parish Councillor.

The complaint concerned an Appeal Committee Hearing of Saltburn, Marske & New Marske Parish Council in July 2023 when the Complainant alleged that the Subject Member breached the Code of Conduct by using inappropriate and discriminatory language.

The Sub-Committee discussed the complaint in detail and based its decision on all the information provided.

The views of the Independent Person were also taken into consideration.

RESOLVED that in accordance with Sections 28(6)(a) and 28(6)(b) of the Localism Act 2011, the Assessment Sub-Committee of the Governance Committee unanimously agreed that, in respect of Case Ref: GC13/2023, the matter be referred for investigation.

8 **REPORT INTO THE ALLEGATION OF A BREACH OF THE MEMBERS' CODE OF CONDUCT - CASE REFERENCE GC14/2024**

The Sub-Committee considered a complaint that had been received in respect of a Parish Councillor.

The complaint concerned allegations that the Subject Member breached the Code of Conduct by posting inaccurate information about the Complainant and her property on social media, referred to her as a liar and conducted himself in such a way that she feels bullied, making false claims about her property and publishing her personal information.

The Sub-Committee discussed the complaint in detail and based its decision on all the information provided by the Complainant and the Subject member.

The views of the Independent Person were also taken into consideration.

RESOLVED that in accordance with Sections 28(6)(a) and 28(6)(b) of the Localism Act 2011, the Assessment Sub-Committee of the Governance Committee unanimously agreed that, in respect of Case Ref: GC14/2024 the matter be referred for investigation but that, in the circumstances, it was appropriate for the matter to proceed on the Fast Track route to a Hearings Panel in accordance with paragraph 5 of the Arrangements for Dealing with Complaints about the Code of Conduct for Members.

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9 **ANY OTHER BUSINESS THE CHAIR CERTIFIES AS URGENT**