

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Standards Committee

Date: Monday, 7th March, 2022

Place: Civic Centre

Present: Councillor I Shead (Chair)
Councillors B Hooper (Vice-Chair), D Cowan and T Cowdrey

In Attendance: Councillor J Healey (Leigh Town Council)
J Morgan and J Tetley (Independent Persons)
R Harris.
S Goacher (Weightmans LLP)

Also in attendance: The Investigator (Harriet Townsend of Counsel)
and the complainant, Mrs R Brock.

Start/End Time: 10.00 am - 1.20 pm

767 Apologies for Absence

Apologies for absence were received from Councillors Buck, Cox, Moring and Nelson (no substitutes).

768 Declarations of Interest

(a) Cllr Shead – Minute 770 (Complaint Against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

(b) Cllr Cowan - Minute 770 (Complaint Against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

(c) Cllr Hooper - Minute 770 (Complaint Against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

(d) Cllr Cowdrey - Minute 770 (Complaint Against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

(e) Cllr Healey (Leigh Town Council) - Minute 770 (Complaint Against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint.

769 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public 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 Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

770 Complaint Against a Councillor - Reference 20/012

The Committee considered a report in respect of a complaint made against Councillor Cox on 12th June 2020 by the complainant (reference 20/012).

The complaint alleged that Councillor Cox had breached the Members' Code of Conduct ("The Code") by failing to comply with paragraph 3.1 of the Code ("you must treat others with respect") and paragraph 3.4 ("you must not bully or harass any person").

The Committee conducted a Hearing in accordance with the Complaints against Members Rules.

Councillor Cox was invited to attend the Hearing but sent his apologies.

The Investigator presented her report which concluded that Councillor Cox had breached the Code.

The Committee carefully considered the matter and the information before them, and sought and took into consideration the views of the Independent Persons.

Decision:

1. The Committee resolved that Councillor Cox had failed to comply with paragraph 3.1 of the Code ("you must treat others with respect") and paragraph 3.4 ("you must not bully or harass any person").
2. The Committee, in considering the actions available upon a finding of breach of the Code, and on the basis that it was a proportionate action to take, determined that it should issue a public censure against Councillor Cox to make clear its severe disapproval in relation to the breach. The Committee also determined that the findings should be reported to Full Council and that the Monitoring Officer should be asked to offer appropriate training to Councillor Cox.
3. The Committee was very disappointed that Councillor Cox had not cooperated with the Investigation and had not attended the hearing.
4. The Committee considered that Councillor Cox had multiple opportunities to engage with the Investigation and had chosen not to do so. The Investigator indicated that she had gone beyond what she would normally do in such cases in giving Councillor Cox the opportunity to engage.

*The formal Decision Notice is available for public inspection as provided for at paragraph 9.2 of the Complaints Against Members Rules.

Chair: _____