

SOUTH HAMS DISTRICT COUNCIL STANDARDS COMMITTEE

On 27 May 2009, the Standards Committee of the South Hams District Council found that former councillor Tony James of Sparkwell Parish Council breached the Code of Conduct of that Council by –

1. Failing to declare a personal interest in an item on the agenda of the Council meeting on 13 May 2008, contrary to the requirements of paragraph 9(1) of the Code of Conduct.
2. Allowing personal attacks on the integrity of the claimant in a public forum, namely the same council meeting, which represented a failure on his part to treat her with respect, contrary to the requirements of paragraph 3(1) of the Code of Conduct.
3. Actively creating an opportunity at that council meeting for members of the public to question the claimant directly and to pursue a personal grievance against her, which amounted to an improper use of his position as chairman and conferred a disadvantage on the claimant, contrary to the requirements of paragraph 6(a) of the Code of Conduct.

The Committee accepted and adopted the findings of fact made by the investigating officer, that is to say that there had been a failure to comply with the provisions of the Code in these respects, and that a sanction should be imposed.

For these breaches of the Code, the Standard Committee censured Mr James and required him to write a letter of apology to the complainant. It also said that should he become a councillor in the next three years he should undergo training on the provisions of the code of conduct.

The member concerned may apply to the president of the Adjudication Panel for England for permission to appeal against the findings of or the sanction imposed by the Standards Committee.

Dated: Friday 5 June 2009