



**MINUTES of
JOINT STANDARDS COMMITTEE
19 DECEMBER 2024**

PRESENT

Chairperson	Councillor M G Bassenger
Vice-Chairperson	Councillor M E Thompson
Councillors	J Driver (Substitute for S J Burwood), A M Lay, M G Neall, E L Stephens, Michael and S C Stratton
Parish / Town Councillors (non-voting)	Councillors M J Hall and S C Stratton
Independent Person (non- voting)	Mr J Mitchell

466. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

467. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence were received from Councillors S J Burwood and S J N Morgan. It was noted that Councillor J Driver was attending as a substitute for Councillor Burwood.

468. DISCLOSURE OF INTEREST

There were none.

469. STANDARDS COMPLAINT - COUNCILLOR RAWLINSON

In accordance with point 1 of the Hearing procedure all present were asked to introduce themselves.

The Committee considered the report of the Monitoring Officer advising the Committee of an investigation following complaints against former Councillor Duncan Rawlinson of Burnham-on-Crouch Town Council.

The report set out the three complaints for consideration by the Committee based on the evidence before them and the sanctions it could apply if it was determined that a breach of the Code of Conduct had occurred.

The Monitoring Officer presented the report and took the Committee through the procedure for complaints determination. She advised the Committee that Councillor Rawlinson, the subject of the complaint, had since resigned and was no longer a Councillor and therefore sanctions did not apply. It was noted that Mr Oram, the Independent Investigator from ch&I associates, who had carried out the investigation would present his report (Appendix 1 to the report). Prior to deferring to Mr Oram, Members were advised that once all reports, discussions and questions had been covered the Committee would deliberate in private.

Mr Oram advised that his colleague Mark Rawlinson was also present in case the Committee had any questions as he was the principal investigator. He then took the Committee through the headline issues in his report covering the complaints. He drew Members' attention to the summary and the findings of his investigation which had concluded that there were four allegations where they were recommending that Councillor Rawlinson had failed to have complied with, within the scope of the Code of Conduct (CoC).

In accordance with the Procedure, the Chairman invited Members of the Committee and the Independent Person to ask the Investigator, Mr Oram and the Monitoring Officer any questions.

Officers responded to several questions raised, drawing Members' attention to specific points within the report, providing clarification and further information including:

- Councillor Rawlinson had been asked to provide the investigators with a list of persons he wishes them to talk to or may have evidence for consideration, but this had not been forthcoming. Other Councillors had also been approached by the investigators, but no response received.
- With regards to the use of private accounts on facebook, consideration had to be given to whether the subject matter directly related to council business.
- The investigators had been able to listen to a recording of the meeting and therefore didn't need to seek further witness evidence from Ms Payne.
- Reference to 'the Council' on page 21 of the document pack should state the District Council.

The Chairman then invited the Independent Person to make any representations or give advice. Mr Mitchell advised that he supported the Investigators report, the weight given to various factors and felt there was no reason for the Committee to disagree with the report. He referred to a number of emails he had received regarding matters at Burnham-on-Crouch and suggested that the conclusions were defensible.

The Chairperson then moved onto Hearing Procedure Point 10 – press and public to be excluded so that the Committee could deliberate.

470. EXCLUSION OF THE PUBLIC AND PRESS

The Chairperson moved that the public and press be excluded from the meeting so that the Committee could deliberate with the assistance of the Independent Person. This was duly agreed.

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the specific purpose to allow the deliberation of the Standards Complaint relating to Councillor Rawlinson on the grounds that deliberations would involve the likely disclosure of exempt information as defined in Paragraphs 1

and 6 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

471. RESUMPTION OF BUSINESS IN OPEN SESSION

RESOLVED that the business of the meeting resumed in open session at 3:24pm.

472. STANDARDS COMPLAINT - COUNCILLOR RAWLINSON CONTINUED

The Chairperson read out the findings of the Committee which were duly agreed.

RESOLVED

- (i) that the Committee considered the investigation report attached at Appendix 1 to the report;
- (ii) that the findings set out paragraph 3.2 of the report be agreed and therefore the Committee finds that former Councillor Rawlinson had failed to comply with the following paragraphs of the Code of Conduct:
 - paragraph 1.1 of the Code, because that he did not treat other councillors, in particular Councillor Stamp, with respect when sending offensive WhatsApp messages to the Chief Officer.
 - paragraph 1.2 of the Code, because he did not treat the Chief Officer with respect when he falsely claimed that she sent out correspondence in his name without his knowledge.
 - paragraph 2.1 of the Code, because he bullied the Chief Officer at the Town Council meeting of 25 March 2024
 - paragraph 5 of the Code, because he brought his office and the Town Council into disrepute when initiating a Police investigation into the Town Council's finances without having the necessary authority and then misleading the Town Council with regards to its progress.
- (iii) that Cllr Rawlinson had not breached the Code of Conduct in relation to the other allegations.

It was noted that former Cllr Rawlinson had resigned as a Councillor and as such the Committee had no power to consider any sanctions against him.

473. STANDARDS COMPLAINT - COUNCILLOR STRATTON, COUNCILLOR BOWN AND COUNCILLOR SIDDALL-NORMAN

The Committee considered the report of the Monitoring Officer advising the Committee of an investigation following complaints against Councillors Stephen Stratton, Doug Bown and Una Siddall-Norman of Burnham-on-Crouch Town Council.

The report set out the areas for consideration by the Committee based on the evidence before them and the sanctions it could apply if it was determined that a breach of the Code of Conduct had occurred.

The Monitoring Officer presented the report, advising that Councillor Stratton was present and there would be opportunity for him to ask questions and for the Committee

to ask questions of him. It was noted that Mr Oram, the Independent Investigator from ch&I associates, who had carried out the investigation would present his report (Appendix 1 to the report). Prior to deferring to Mr Oram, Members were advised that once all reports, discussions and questions had been covered the Committee would deliberate in private.

Mr Oram took the Committee through the headline issues in his report covering the complaints. He drew Members' attention to the summary and the findings of his investigation which had concluded that Councillors Stratton, Bown and Siddall-Norman had not failed to comply with the Town Council's Code of Conduct (CoC) and he therefore recommended that no further action be taken in relation to these complaints.

In accordance with the Hearing procedure, the Chairman invited Members of the Committee and the Independent Person to ask the Investigator, Mr Oram and the Monitoring Officer any questions.

Officers responded to questions raised, drawing Members' attention to specific points within the report, providing clarification and further information including:

- It was confirmed that Councillor Rawlinson was no longer a Town Councillor and Mr Oram provided some context regarding the decision to bring this matter forward to the Committee.
- The Mayor chaired the meeting in question and would have been involved with the Chief Officer in respect of the decision as to whether the meeting was held in public or private session. It was noted that paragraph 4.2.8 of the investigators' report set out the discussion that took place at the meeting.
- It was noted that a large number of documents were submitted by Councillor Stratton raising wider issues within the Council and all of which were forensically examined. Mr Oram advised that regardless of any wider concerns he had concluded there had not been a failure in compliance with the CoC.

The Chairman referred to Hearing procedure point 6 and invited Councillor Stratton to make any representations with respect to the conclusions of the report. Councillor Stratton advised that he didn't have any questions and provided the Committee with background information regarding his complaints, including his previous attempts to raise a motion seeking a vote of no confidence in the mayor.

The Chairperson then moved onto Hearing procedure point 10 – press and public to be excluded so that the Committee could deliberate.

474. EXCLUSION OF THE PUBLIC AND PRESS

The Chairperson moved that the public and press be excluded from the meeting so that the Committee could deliberate with the assistance of the Independent Person. This was duly agreed.

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the specific purpose to allow the deliberation of the Standards Complaints relating to Councillors Stratton, Bown and Siddall-Norman on the grounds that deliberations would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

475. RESUMPTION OF BUSINESS IN OPEN SESSION

RESOLVED that the business of the meeting resumed in open session at 4:30pm.

476. STANDARDS COMPLAINT - COUNCILLOR STRATTON, COUNCILLOR BOWN AND COUNCILLOR SIDDALL-NORMAN CONTINUED

The Chairperson read out the findings of the Committee which were duly agreed.

RESOLVED

- (i) that the Committee considered the investigation report attached at Appendix 1 to the report;
- (ii) that Councillor Stratton, Councillor Bown and Councillor Siddall-Norman are found not to have failed to comply with the Town Council's Code of Conduct.

At this point, the Independent Person commented that that Town Council may find it helpful to look at its procedures and Standing Order to identify ways to prevent Code of Conduct complaints such as these.

There being no other items of business the Chairperson closed the meeting at 4.30 pm.

M G BASSENGER
CHAIRPERSON