

## **COUNCIL MEETING**

11 July 2017

### **QUESTIONS ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor M Taylor:

“Addressed to Chief Executive

(1) If the outcome of the Parish Standards Panel Hearing 12/13 June is a recommendation back to the Standards Committee, or more properly the Parish Council involved, why has the draft "Formal Letter to Councillor Taylor" already been released into the Public Domain, long before BGPC had the opportunity to ratify and adopt the recommendation on 3rd July?

Specifically Kent Online report 29 June 2017 (copy attached)

(2) Why did the Monitoring Officer brief TMBC's Barrister to the Panel about a hypothetical future Standards Complaint, no such complaint having been lodged or advised to date?

Regards

Mike Taylor

Ward Member Borough Green & Longmill”

### ***Response by Chief Executive***

*“At the Panel hearing on 12 & 13 June 2017, the Standards Hearing Panel found that Cllr Taylor had breached the Borough Green Parish Council Code of Conduct. It resolved as follows*

- (1) The Panel’s findings be reported to Borough Green Parish Council and the Parish Council be invited to issue Cllr Taylor with a formal censure for obstructing the Headmaster*
- (2) A formal letter be sent to Cllr Taylor on behalf of the Hearing Panel*
- (3) The Panel’s findings be published by publication on the TMBC website, by email to the local press, the clerk to Borough Green Parish Council and members of Borough Green Parish Council.*

*The first of these is a recommendation to Borough Green PC, so therefore requires ratification by the Parish Council. The second and third elements of the sanctions are not recommendations to the Parish Council, nor do they require approval by either the Joint Standards Committee or the full Council of Tonbridge & Malling Borough Council. In accordance with paragraphs 4.1(j) and (l) of the Hearing Panel Procedure, they are sanctions that may be imposed by the Hearing Panel itself.*

*Under the Hearing Panel Procedure, once a Hearing Panel has made a decision, a summary of the panel's decision and recommendations, and the reasons for those decisions and recommendations, is published on the Council's website within 10 days.*

*Furthermore, the Borough Council is under a duty to make available to the public agendas, decisions and documents relating to proceedings of all of its committees and sub-committees, including the hearing panel, to the extent they do not disclose exempt information.*

*The Monitoring Officer did not brief the Council's barrister about a 'hypothetical future Standards Complaint'. Rather, the barrister was advised of an existing complaint against Cllr Taylor, in which the complainant has requested that their identity remain confidential. Whilst details of the complaint have not currently been disclosed to Cllr Taylor, I am aware that the Monitoring Officer explained to Cllr Taylor after the hearing that this position would be reviewed in the event that the complaint were to proceed to investigation."*