



East Devon District Council
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**Standards Committee
DECISION NOTICE**

Complaint Reference: MO-C075
HEARING FINDINGS

Date of Hearing	30 November 2015
Subject Member	Councillor John Taylor, Honiton Town Councillor
Complainant	Chetna Jones, Clerk, Honiton Town Council
Investigating Officer	Tim Darsley
Membership of Standards Sub Committee	Cllr Stuart Hughes(Chairman) Cllr Graham Godbeer Cllr Pauline Stott <u>Non-voting</u> Cllr Courtney Richards – Parish/Town Member Tim Swarbrick – Independent Member
Independent Person	John Walpole
Monitoring Officer	Henry Gordon Lennox
Legal Advisor to Sub Committee	Anita Williams, Principal Solicitor at EDDC and Deputy Monitoring Officer
Democratic Services	Diana Vernon, Manager
Summary of complaint	On 27 January 2015, Councillor John Taylor issued a written statement concerning the funding of the Beehive Community Centre in the Town. In the statement, Councillor Taylor made a number of claims about the legality and propriety of a loan obtained by the Town Council. The content of the written statement showed disrespect to the Honiton Town Council clerk.
Any declarations of interest	None

Hearing in public/availability of relevant documents for public inspection	The Hearing was held in public - the agenda papers had already been made available on the Council's website.
Standards Sub Committee decision on whether or not there has been a failure to comply with the Code of Conduct and reasons for their decision	<p>The Sub Committee acknowledged Councillor Taylor's genuinely held concerns regarding the financial governance of the Honiton Town Council. However, this was outside the remit of this Standards Sub Committee.</p> <p>The Sub Committee noted the findings of fact (5.1-5.7 of the Investigating Officer's report). The Sub Committee also noted that Councillor Taylor did not accept that all of the undisputed findings of fact (5.8 – 5.28) were in fact undisputed.</p> <p>In considering the disputed facts (5.29-5.85), the Sub Committee again took into account the relevant material evidence, all the representations (including emails submitted by Councillor Taylor at the Hearing) and discrepancies raised during the Hearing.</p> <p>In respect of the disputed facts, it is the belief of the Sub Committee that there was likelihood that the letter passed to Jill McNally would be more widely circulated. There was no evidence that the letter had been asked to be kept confidential. When the letter was used by the press, Councillor Taylor made no attempt to withdraw its contents.</p> <p>In conclusion, the findings of the Sub Committee were that Councillor Taylor had issued a statement, written as a Honiton Town Councillor, which was sent by a recipient to the media. The statement made a number of claims about the legality and propriety of a loan obtained by the Town Council. In the statement, Councillor Taylor referred to the Town Clerk three times, which after deliberation, the Sub Committee concluded that this implied a direct criticism of the clerks' integrity in dealing with the finances of the Beehive.</p> <p>The Sub Committee therefore found that Councillor Taylor had breached the Code of Conduct in respect of Paragraph 4(a) – you must treat others with courtesy and respect.</p>
Any mitigating circumstances taken into account	Councillor Taylor maintained his belief that he was acting in the public interest and that he would not remain silent on what he believed to be the abuse of public funds.
Sanctions imposed	<p>The Sub Committee had heard representations from the Investigating Officer and EDDC's Monitoring Officer on whether a sanction should be imposed and if so, what form it should take.</p> <p>The Sub Committee considered the representations and made the following recommendations to Honiton Town Council:</p> <ul style="list-style-type: none"> ➤ that Honiton Town Council censure Councillor John Taylor for his breach of the Code of Conduct;

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| | <ul style="list-style-type: none">➤ that Honiton Town Council publish the findings of the Hearing Sub Committee. (EDDC will anyway publish the findings on its own website as a matter of procedure.)➤ that Honiton Town Council instruct EDDC's Monitoring Officer to arrange training for Councillor Taylor in respect of Code of Conduct and Councillor conduct – such training to be completed by the end of the current financial year. |
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The report of the Standards Sub Committee findings to be reported to Honiton Town Council.

Signed:



Chairman of the Standards Sub Committee

Date: 1 December 2015

Appendix – [Standards Sub Committee Hearing agenda which includes the Investigating Officer's report](#)