

Agenda Item No: 16

Lewes District Council

Standards Panel Hearing of 3 February 2017

Agenda item no. 4: investigation into complaint against Councillor R Robertson

DECISION NOTICE

1. Whether Councillor Robertson failed to comply with Lewes District Council's Code of Conduct for Members

The Standards Panel, having considered the Investigating Officer's written and oral reports and listened to Councillor Robertson's submissions, reached the following decision.

As questions of fact, firstly Cllr Robertson was a member of Lewes District Council at the time he made the comments complained of. Secondly, he was, for that reason, subject to the Council's Code of Conduct for Members.

The Panel concluded that non-payment of council tax does engage the Code of Conduct and, therefore, felt it appropriate to go on to consider whether Councillor Robertson's comments to the press about his non-payment amounted to a breach of the Code.

Councillor Robertson did not dispute the words attributed to him in The Argus even though he had made further comments that went unreported. It is notable that the article is specifically about councillors and refers to Councillor Robertson in his public role rather than Mr Robertson in a private capacity.

The Panel further observed that Councillor Robertson's non-payment of council tax was not merely an oversight or technical error but a conscious decision on his part not to pay it.

In view of these matters, the Panel finds that Councillor Robertson failed to comply with paragraph 5 of the Code of Conduct by conducting himself in a manner which could reasonably be regarded as bringing his office or the Council into disrepute.

Specifically, his comments could be perceived by the public as a justification for delayed or non-payment of council tax, which could undermine the Council's financial stability and reputation.

2. Sanctions

Having found that Councillor Robertson failed to comply with the Code of Conduct, and having granted him the opportunity to put forward any mitigating factors as to possible sanctions, the Panel—

- i. requires the Monitoring Officer to arrange training for Councillor Robertson on the Code of Conduct for Members by the end of February 2017; and
- ii. welcomes Councillor Robertson's offer to apologise and recommends that he does this by way of a statement to full Council on 23 February 2017.

3. Publication

In accordance with the Council's Standards Hearings procedure, a copy of this notice will be sent to Councillor Robertson as subject member and to Councillor Osborne as complainant. A copy will be published on the Council's website and reported to full Council at its meeting on 23 February 2017.

Decision Notice issued 3 February 2017
Oliver Dixon, Deputy Monitoring Officer
Lewes District Council