

EXTRAORDINARY MEETING OF THE FULL PARISH COUNCIL

(via Zoom video conferencing platform)

HELD ON MONDAY 25TH MARCH 2020 AT 7.30PM - Hosted by Hazel Roxby – Deputy Clerk

Present via video link: Cllrs Norcross (Chairman), Campbell, Lloyd, Goldsmith, Hanson, Rudkin, Young, S. Sullivan, G. Sullivan, Northam, Trundle and Alexander.

Clerk: John Fullbrook

Members of the Public: 9

Meeting commenced 7.31PM

DRAFT MINUTES

FULL/20/147 APOLOGIES FOR ABSENCE

147.1 None

FULL/20/148 DECLARATIONS OF INTEREST

148.1 Cllrs Campbell and Goldsmith declared a personal, but not prejudicial interest in item 6 on the agenda. Cllr Alexander declared a personal interest in the agenda items.

FULL/20/149 QUESTIONS FROM THE FLOOR (in summary)

149.1.1 *Mr Catchpole asked, following the Decision Notices from HDC, why Cllr Alexander was still on the Council as in his opinion he was unsuitable to hold such a position?*

149.1.2 *Cllr Norcross replied that the Council has no remit nor authority to remove any serving Councillor from office.*

149.1.3 *In that case, could you ask him to resign? And if you asked him to resign and he did not, what can you do?*

149.1.4 *We have no authority to compel any Councillor to resign and leave the Council*

149.1.5 *So are you not going to ask him to resign?*

149.1.6 *This is not an appropriate forum for this discussion.*

149.2.1 *Mr Bowel, regarding agenda item 6, suggested that because statements made by two Councillors in recent public meetings have already been heard in open session, that he did not believe the discussion about any decision ought to be in a confidential session and he hoped Councillors would vote not to go into confidential session.*

149.2.2 *Cllr Norcross said that Council would vote under item 5 whether to go into confidential session.*

149.3.1 *Mr Muggridge asked whether the Chair would agree with him - it's sad that the topics on this EOM have been pre-empted by the anonymous resident {Name redacted} on Facebook with misinformation and unsubstantiated accusations against a number of Councillors. Can the chair confirm his understanding that no former SPC Cllr resigned citing bullying by an independent Cllr as their reason for leaving?*
Q2 - No current Cllrs were co-opted under this council as they were all elected, and indeed even if a Cllr is co-opted, they are still elected only by the Cllrs rather than the public – that is misinformation.
Q3 – And finally the point that wasn't made at the EOM last week is really important - Item 6 is about safeguarding the staff of this council and hopefully this should be dealt with tonight.

149.3.1 Cllr Norcross said, with ref to your first question and the posting on social media I think it would be very inappropriate as a council to discuss that. I'm sure we have our own views about the appropriateness of social media, and I think its something individual Cllrs need to look at and consider themselves. In terms of bullying being cited as a reason for leaving, no I'm not aware that any councillor did actually cite bullying as a reason for leaving the council and if anyone believes that to be the case then I'm sure they can discuss this with previous Cllrs or ask the Clerk. Lastly no Cllr was co-opted. 2 Cllrs - myself and Cllr Alexander were elected unopposed

149.4.1 Mr Cree stated in his opinion 'Simon Alexander began his social media abuse of Steyning Parish councillors long before his election to the Council. On the 4th May 2020, after continuing social media breaches of the Code of Conduct in his opinion by Simon Alexander, Mr Cree wrote to all councillors requesting that both Cllr Northam and Cllr Alexander make a written commitment to the other 13 councillors and our two Parish Clerks to not post on social media any further misinformation related to council business but it didn't happen.
Tonight, is Steyning's version of the Oscars except that we are here to witness awards for the multiple violation of SPC Codes of Conduct, namely the HDC Decision Notices. Simon Alexander was nominated for four awards, but he only achieved three and that must be a disappointment. Simon Alexander is unfit for public office. Anyone with an ounce of integrity would resign and publicly apologise to the HDC Standards Committee, the SPC as a body, SPC councillors who were subject to his vile postings and the innocent Steyning residents that he continuously attacked on social media.'

149.4.2 Cllr Norcross responded that though anyone is at liberty to criticise, she personally considered this personal attack by a former Councillor unedifying and unpleasant especially when Cllr Alexander doesn't have the right of reply.

FULL/20/150 CODE OF CONDUCT NOTICES

150.1 The Chairman **proposed** a motion that Steyning Parish Council accepts all the recommendations made by the HDC standards committee in relation to the Code of conduct complaints as per the three decision notices within the supporting papers and further that SPC accepts Cllr Alexanders acquiescence of the sanctions including his written apology dated 10th March 2021.

150.2 Cllr Campbell raised three points of order. The first – The ICO requires us to publish supporting papers unless they are confidential – Could the Clerk explain why the decision notices are not on the web site and if he continues to maintain they are confidential could he explain this, seeing as they are on the HDC web site and that they say within them that they are for publication?

150.3 The Clerk explained that he placed on the agenda for council to decide upon publication and if he had not made them confidential papers that in effect he would already be publishing them without Council approval, because non-confidential papers are provided on the SPC web site. When agreed they will be published.

150.4 Cllr Campbells second point of order - Cllr Campbell and Goldsmith asked for an EOM to be called as there appeared to be no appetite within SPC to discuss the matter with any urgency – their motions put forward are on page two on this agenda under 4.3. Please could the clerk explain why what appears to be a pre-emptive motion being similar but significantly different has been put at 4.2, which seems to be requiring a rubber stamp to the decision notice rather than consider any possible departures from it and it seems to be rather different to HDC's recommendations as well.

150.5 The Clerk explained that there was an urgency to discuss it and that he and the Chair had already met and decided upon calling an EOM before Paul's request was received, but he did not necessarily agree with the content of the suggested motion in terms of the idea that SPC consider departure from the HDC recommendations in terms of the further imposition of sanctions. However, in order to be inclusive of the request, the differently worded motion was also added to the agenda for discussion.

150.6 Cllr Campbell asked which elements the Clerk was not prepared to include in his motion. The Clerk responded – the imposition of further unspecified sanctions.

150.7 Cllr Campbell's third point of order – We have been provided with no briefing paper setting out our powers and duties, could the Clerk confirm we are not bound by the recommendations and that it is for us to decide to accept or reject or accept with modifications these sanctions and what additional sanctions are available to us.

- 150.8** The Clerk responded that Councillors powers are set out within the standing orders, policies and documents already available. In terms of additional sanctions, we have been advised not to impose additional sanctions and he had stated this many times previously.
- 150.9** Cllr Northam suggested the discussion had moved away from the motion and **seconded** the motion proposed by Councillor Norcross under 150.1 (noted above).
- 150.10** Cllr Campbell continued to discuss the possibilities of further sanctions. Cllr Northam under a point of order asked if therefore Cllr Campbell was going to propose an amendment. Cllr Campbell **proposed** that Council consider a different motion under agenda item 4.3, **seconded** by Cllr Goldsmith but then he **withdrew the motion**. Then he **proposed** another amendment to the motion proposed by Cllr Norcross under 150.1, that in addition from not attending committee and sub-committee meetings Cllr Alexander be restricted from attendance at 'working parties and external bodies and this being subject to this additional sanction being lawful', **seconded** by Cllr Goldsmith. **Not Agreed**
5 For {PC,PC,SSu,GS,TR}, 7 Against {SA,LT,TL,JN,CY,SN,DH}
- 150.11** Cllr Norcross read out her motion once again whereby she **proposed, seconded** by Cllr Northam, a motion that Steyning Parish Council accepts all the recommendations made by the HDC standards committee in relation to the Code of Conduct complaints as per the three decision notices within the supporting papers and further that SPC accepts Simon's {Cllr Alexanders} acquiescence of the sanctions including his written apology dated 10th March 2021. **Agreed 6 For {LT,TL,JN,CY,SN,DH}, 6 Abstained {SA,PC,PC,SSu,GS,TR}, Motion carried**
- 150.12** Cllr Norcross **proposed, seconded** by Cllr Lloyd that SPC publishes on its web site all Code of Conduct decision notices where sanctions are recommended. **Agreed**
- 150.13** Cllr Norcross read Agenda item 4.3 which was a motion brought by Cllr Campbell, However he then wished to withdraw the motion, and no further discussion took place.
- FULL/20/151 CONFIDENTIAL SESSION.**
- 151.1** There was a motion on the agenda to agree or not whether Council goes into confidential session, but no proposer came forward, so the meeting continued in open session
- FULL/20/152 STAFFING MATTERS**
- 152.1** Cllr Goldsmith made a statement (Full statement available at 1 Hour 0 Minutes, via video link below). In it he stated in his and Cllr Campbell's opinion the motion (quoted in supporting papers and noted below) was unlawful as it would not allow him to perform the duties of a councillor properly and that he believed other Councillors were predetermined in this matter. He believed that his emails were not vexatious in nature, nor disrespectful.
- 152.2** Cllr Campbell put forward four points of order, first why was SPC not bound by the leading case Harvey v Ledbury Council which says that any sanction against a councillor must use the Code of Conduct procedure. The Clerk explained that the proposed motion would not be to impose a sanction, in that the Councillors ability to act as such would remain unfettered. Just that the communications would first go through a third party.
- 152.3** Cllr Campbells second point of order, - could the Clerk explain the legal basis of a sanction whereby two councillors are to have their emails vetted and censored by another councillor. The Clerk referred to his previous reply and Cllr Young stated that the personnel committee in reaching the recommendation had previously sought advice from SALC and the advice given was that if the office staff were being distressed and over-whelmed by overlong, complex, and intimidating emails that this process was the only viable administrative course of action

- 152.4** Cllr Lloyd elaborated that this action would assist the office staff by helping avoid them receiving emails which were using inappropriate language and tone, and that in these instances the emails would be returned to sender in order to modify the tone or language, not their content. Cllr Norcross confirmed this.
- 152.5** Cllr Campbell stated that he had self-referred to the HDC standards committee in this instance so that his case can be properly judged by an independent process. His point of order being that on top of what was in his opinion the unlawful nature of the proposed motion, it would also be improper for SPC to continue with this process now that HDC as the appropriate body are now involved. The only thing that SPC can continue with, in his opinion, would be to attempt another mediation process.
- 152.6** Cllr Campbell wanted to know what was meant by attacks on the standing of the Clerk and Deputy Clerk and why was no evidence provided to prove this. It was pointed out that evidence had been provided. Under a point of order Cllr Northam asked could we please debate the motion, which was to protect the well-being of the staff
- 152.7** Cllr Norcross **proposed, seconded** by Cllr Lloyd that in the interests of the Council's legal duty-of-care and the well-being of its staff, the Personnel Committee recommends to Council that all emails and correspondence from Cllrs. Campbell and Goldsmith to the Council's staff be directed through the Chair of the Council for the present time. This will be reviewed at each Personnel Committee meeting. **Agreed 7 For, 5 chose not to vote for, against nor abstain {PC, SSu, GSu, RG, TR}** Cllr S. Sullivan wanted it noted that she would not participate as she thought it was Ultra Vires.

FULL/20/153 **DATE OF NEXT FULL COUNCIL MEETING: 19th APRIL 2021 at 7.30pm**

The meeting was closed at 9.03pm

Signed **Date 19th April 2021**
Chairman

Video link to this meeting - <https://archive.org/details/2021-03-25-steyning-parish-council-eom>