

Mr S Hearse
Chief Executive
Torrige District Council
Riverbank House
Bideford
Devon
EX39 2QG



Tel : Bideford (01237) 428700

Date: 29 July 2022

EXTRAORDINARY FULL COUNCIL MEETING

On:	Monday 8 August 2022	At:	6.30 pm
Venue:	Caddstown Business Support Centre - Bideford		

From the 7 May 2021, the law requires all councils to hold formal meetings in person. The Council is also required to follow Government guidance and ensure that all venues used are Covid secure and that all appropriate measures are put in place. Members of the public will be able to attend the meeting in person if they are registered to speak under public participation. Any members of the public who want to view the meeting will be able to watch through the Councils YouTube Channel <https://tinyurl.com/TorrigeYouTube>

NOTICE OF MEETING

You are hereby summoned to the Meeting of the District Council at the aforementioned date and time

A handwritten signature in black ink, appearing to be 'S. Hearse', written over a horizontal line.

Chief Executive

To:	Councillor D Bushby (Chair) Councillor P Christie (Vice-Chair) Councillors: R Boughton, D Brenton, C Bright, M Brown, R Clarke, C Cottle-Hunkin, R Craigie, A Dart, L Ford, J Gubb, P Hackett, P Hames, S Harding, C Hawkins, K Hepple, R Hicks, C Hodson, D Hurley, J Hutchings, T Inch, K James, D Jones, S Langford, N Laws, C Leather, R Lock, J Manley, D McGeough, J McKenzie, S Newton, P Pennington, P Watson, R Wiseman and C Woodhouse
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Members are requested to turn off their mobile phones for the duration of the meeting

AGENDA

PART I - (OPEN SESSION)

1.	Apologies For Absence To receive apologies for absence from the meeting
2.	Public Contributions 15 minute period for public contributions. The deadline for registering to speak is by 2pm Thursday 4 August 2022. To register please email dem.services@torridge.gov.uk
3.	Declarations of interest Members with interests to declare should refer to the Agenda item and describe the nature of their interest when the item is being discussed.
4.	Agreement of Agenda Items Part I and II
5.	To consider correspondence or other business especially brought forward by the direction of the Chair
6.	Standards Hearing - 4th August 2021 (Pages 3 - 6) To receive the report of the Head of Legal and Governance
7.	Exclusion of Public The Chair to move: "That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972"
8.	PART II - (CLOSED SESSION) Items which may be taken in the absence of the public and press on the grounds that exempt information may be disclosed.
9.	Planning Inquiry (Pages 7 - 89) To receive the report of the Head of Legal and Governance & Monitoring Officer
	Meeting Organiser: Democratic Services

REPORT OF **Head of Legal and Governance**
To: **Full Council**
Subject: **Standards Hearing – 4th August 2021**
Date: **8th August 2022**

Reference:

PURPOSE OF REPORT: For Members to consider whether or not to continue the sanctions against Cllr Leonard Ford
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1. INTRODUCTION

This matter was previously presented to Full Council on the 31st January 2022 following recommendations made by the Standards Committee after a Standards Hearing was convened in respect of allegations against Cllr Leonard Ford.

2. REPORT

On the 31st January 2022 Full Council resolved to approve the recommendations from the Standards Committee.

In addition it was also resolved to issue a press release condemning Cllr Ford's behaviour and remove Cllr Ford's Torridge District Council email with a review after a period of 6 months for Full Council to consider whether his Torridge District Council email should be reinstated.

3. IMPLICATIONS

Legal Implications

None.

Financial Implications

Human Resources Implications

None.

Sustainability/Biodiversity Implications

None.

Equality/Diversity

None.

Risk Management

Compliance with Policies and Strategies



Data Protection (GDPR) Implications

Confidential information pertaining to members of the public that had made complaints.

Climate Change

None.

4. CONCLUSIONS

The Standards Committee previously resolved the following:-

1. Cllr Ford should write written apologies to all complainants where the complaints were upheld;
2. To recommend to Full Council that Cllr Ford be excluded from the Council's offices or other premises with the exception of meeting rooms as necessary for attending Full Council, Committee and Sub-Committee meetings. Cllr Ford to only attend the offices on other occasions by making prior arrangements with the Chief Executive.

As Cllr Ford failed to write any apologies the matter was referred to Full Council, for consideration.

Full Council additionally resolved to remove Cllr Ford's Torridge District Council email address for 6 months and re-instatement be reviewed after this period.

5. RECOMMENDATIONS

Members decide whether or not to continue to remove Cllr Ford's Torridge District Council email address for the remainder of his Councillor term.

Members to decide whether or not to continue that Cllr Ford is excluded from the Council's offices or other premises with the exception of meeting rooms as necessary for attending Full Council, Committee and Sub-Committee meetings. Cllr Ford to only attend the offices on other occasions by making prior arrangements with the Chief Executive.

The continuation of the sanctions is supported by The Standards Committee.

SUPPORTING INFORMATION

Consultations:	Date of Consultation –20 th June 2022 Officers Consulted – The Chief Executive, Chair of Standards Committee ; Standards Committee
Contact Officer:	Head of Legal and Governance (and Monitoring Officer)
Background Papers:	Full Council Reports – Previous Press Release



Councillor Ford censured for refusal to apologise for actions that fell short of Torridge Members Code of Conduct

Torridge District Council Ward Member for Appledore, Councillor Len Ford, has been censured by the Councils Standards Committee for breaches of the Councils Members code of Conduct. The original complaints against Councillor Ford were heard at a Standards Committee Hearing in August 2021. The committee, which comprised of seven serving councillors and three independent persons, had also received a report conducted by an independent outside investigator, which Councillor Ford had agreed to and cooperated with.

Councillor Ford was invited to submit his own evidence for the hearing and invited to attend, which he chose not to exercise. The committee subsequently upheld eight out of ten complaints made against him as “proven”.

Five of the upheld allegations of misconduct were submitted by the public with the remaining four from fellow Torridge District Council members. They included:-

threatening, intimidating and verbally abusive behaviour both in person and at public places;

threatening, intimidating and verbally abusive behaviour at a complainant’s home address

threatening, intimating and verbally abusive behaviour through emails and other literature.

Some of the actions also resulted in the threat of potential legal action against the Council.

In summary the committee found that Councillors Ford’s actions contravened the Member Code of Conduct in the following areas:

- A requirement to treat others with respect, including members of the public, officers of the Council and any other person whom they come into contact.
- Not to act in a way which could reasonably be regarded as bringing either their office or Member of the Council into disrepute.
- Not to bully or intimidate or attempt to bully or intimidate any person.
- Not to use the resources of the Council for purposes which conflict with the Councils requirements or for political or personal purposes.
- To treat everyone equally, impartially and fairly and represent the residents of the whole of the Council area (not just the ward in which they were elected).

The resolutions from the Standards Committee were endorsed by Full Council, which excluded Councillor Ford from access to Council offices with the exception of meeting rooms for attending committees and full council meetings or to offices by prior arrangement with the Chief Executive.

The resolution also required Councillor Ford to apologise in writing to people where the complaints were upheld and to other complainants where Cllr Ford had accepted during the course of the investigation that his behaviour towards them was unacceptable.

Because Councillor Ford did not comply with this latter directive his case was automatically referred back to the Standards Committee for further consideration. The committee met on Wednesday 5th January and after debate voted to censure Councillor Ford by making the previous findings in the case public

Westward Ho! Ward Member and Chair of Torridge District Councils Standards Committee – Councillor Nick Laws said:

“I wholeheartedly support every Councillors right to support causes that are close to their own beliefs or that of the electors they represent. However this needs to be done at the right forums and in a way that doesn't intimidate and respects other people's rights to have a different view. I feel sad that despite accommodating Councillor Ford through meetings with the leader, deputy leader, chief executive, other members and senior officers we have not been able to navigate a different path and outcome to these issues. However standards in public life are important and no one should expect their behaviour to go unchallenged if they contravene the basic principles of how to conduct themselves with other Councillors and particularly members of the public.”

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