

Standards Sub-Committee

Tuesday, 16th May, 2023
Times Not Specified

Attendees	
Borough Councillors:	Garth Barnes, Tim Harman and Izaak Tailford
Parish Councillors:	
Independent Members:	Duncan Chittenden, Martin Jaunch
Also in attendance:	Claire Hughes, Kate Seeley

Minutes

4. REVIEW OF COMPLAINT UNDER THE CODE OF CONDUCT

The Monitoring Officer explained the process that the committee would follow.

The Investigation Officer

The Investigating officer then gave a precis of her report and drew the committees attention to the following points:

- The matter was a difficult one to investigate as it was based on emotions and personal feelings.
- The allegations from the complainant and witnesses are with regards to a pattern of behaviour not just her behaviour at the 3rd March meeting.
- The subject member seemed to have an issue with one of the new Members of Prestbury Parish Council being in the Green Party.
- There has been some animosity towards new councillors from the subject member, she has indicated in the past that new councillors are wrong and more established councillors are right due to seniority.
- The March meeting was never going to be particularly agreeable due to the subject members negativity.
- One of the witnesses stated to the investigating officer that the subject member was domineering and unwilling to accept new members.
- The complaint against the subject member doesn't relate to just the 3rd March meeting, it relates to an extended pattern of behaviour.
- The subject member failed to show respect to colleagues who don't share the same opinions as her and is disrespectful to her colleagues, which is why the matter has been brought to the committee.

The Complainant

The complainant made the following points:

- The report that was presented by the investigating officer captured everything that she hoped. However, the complainant wished it to be known that she had reached out to the subject prior to the meeting on the 3rd March to try and mend their relationship and was ignored.

- At the meeting on the 3rd of March the complainant had invited a CBC officer to come and speak to the group, the subject was extremely rude to the officer and the complainant believes that is because she was the person who invited the officer to attend. This occurred prior to the meeting starting on that day.

Witnesses

- One of the witnesses went on to say that the subject had been hostile to him on several occasions, he feels mostly due to his party politics. The first time was when he attended a Parish Council meeting as a member of the public. The second time was when he attended the meeting on 3rd March. He found the fact that a chair had to be elected demeaning and it was all made very difficult by the atmosphere created by the subject.
- The complainant also explained that she had warned the subject that if her behaviour did not improve then she would ask her to leave the meeting.
- The second witness stated that she was shocked by the meeting and it was difficult for everyone in the room. The behaviour was not correct and not how you conduct a meeting or speak to colleagues.

In response to a Member of the committees question the complainant stated that had the subject continued to behave badly she would have asked her to leave, that this is not normal practice but as it was a working group she would have felt happy asking the subject to leave. It doesn't seem right that people are leaving and it is hard to get new members to join the Parish Council.

The Subject Member

Councillor Hunt was not in attendance but has submitted a pre-prepared statement which was read out by the Monitoring Officer:

"I apologise for not being in person to give my statement but appreciate the offer for it to be read to you. I am not being disrespectful by being absent or down grading the importance of the meeting, but it is important for me to be elsewhere. As a self-employed Fine Art Dealer who specialises in pre 1750 Chinese ceramics I need to be at certain auctions. May is the month along with November of the main Asian Art Sales both in London and around the country and the time when I must be present and buy at as many of the lots my finances allow. Please accept my apologies.

I will put into context the events of that meeting which was fractious. At a previous parish council meeting I had been shouted at by the complainant to "oh shut up" and "you are just grumpy" an apology for which I am still awaiting. At the start of this meeting the complainant kept telling the witness what to minute and record and would say 'record that' or 'have you got that' and so the minutes of the early part are unreliable and very biased. The complainant and one of the witnesses are good friends. It was quickly evident that the complainant was going to talk over anyone and not accept the appointment of a chairperson or leader of the meeting. After several minutes of no progress, I kept trying to make the point that working parties by common consent followed the committee structure of Chairman/leader appointed by the group. After several attempts I did say that I had been Vice chair of the parish council under

John Payne, but this was not done to intimidate the complainant as I continued the sentence by saying that under the chairmanship of the excellent John Payne it was accepted that a leader was appointed. The complainant chose not to hear that or have that recorded. I do not shout as an ex secondary school teacher I do have an assertive voice if I need it, as in teaching shouting is counterproductive.

The complainant was continually talking loudly over us all and stated to accuse me of being a climate change sceptic which I certainly am not but first and foremost I am a conservationist. When at the early exchange at a Parish council meeting when told to shut up it was because I was trying to make that point. Her assertion that I am a sceptic I find insulting, I am not certain if the complainant was trying to goad me at this meeting but I did keep trying to correct her by saying I was not a sceptic but a conservationist, after three or four attempts I did resort to more assertive voice and say "you know I am a conservationist and not a sceptic" I did not shout. Again, the complainant chose only to hear what she wanted and the witness to record what he was told.

When eventually we did agree to Charles Taylor to be chair the complainant left saying she could not work with us, she returned three or four minutes later on the pretext of looking for something and left again. When we concluded the meeting as I walked out with one of the witnesses she said to me "What a meeting and what a Madam Hilary was. You can certainly tell she has been an actress no-one could appoint her as a chair. She only came back hoping we would plead again for her to stay and agree to her being chair" The actress mention is because the complainant has told councillors that is one of many things she has done. The witness subsequently went back on those comments and obviously sided with her friends the complainant and witness. All three are friends and there has obviously been collusion Charles Taylor and me are good friends but at no time have we colluded.

If I needed a conclusion, I feel Mr C Taylor and I have been let down badly by the Parish Council chairman who either should have been there for the start of the meeting or made it perfectly clear to all present that a chair had to be appointed something he only told C Taylor and intimated to the complainant. I certainly did not shout or try to belittle the complainant.

I appreciate you can't interrogate me on my statement, but I would be happy to swear an oath to the accuracy of the events.

I again apologise for my absence and more importantly to the time and money the events have cost CBC. I only hope I have been successful today buying at auction and so justifying my absence".

The investigating Officer stated that some of the comments were not included in her report as they were made after the meeting.

The complainant then commented that the subjects statement was lies. She was shocked to have been accused of collaboration with the other 2 witnesses when she has not seen one of them since the 3rd March. The complainant also stated that she believed the subject has collaborated with another member of the Parish Council.

One of the witnesses refuted the claims that any conversation had taken place and that the subject either misremembered or was telling lies.

The other witness was confused about the subject's claim about the minutes that he had taken as there were no minutes recorded until everyone sat down to consider actions re climate net zero.

The committee then went into closed session.

They returned and then read the following decision notice:

We have read the reports and listened to all the evidence and considered the matter in the round.

In this case we consider there to be two elements: firstly Cathy Hunt's behaviour towards Dan Taylor and secondly the relationship between Cathy Hunt and Hilarie Owen.

Whilst we acknowledge the initial complaint was not from Dan Taylor, the evidence produced throughout the investigation does in our opinion demonstrate a significant failure to treat Cllr Dan Taylor with respect and we therefore find a breach of the code of conduct in this respect.

Turning to the relationship between Cllr Hunt and Hilarie Owen we are of the opinion that both parties have behaved in an unacceptable manner towards each other and therefore we make no findings in this respect.

The complainant was given the final right to reply. She stated that she felt like the guilty person and not the victim.

The Chair concluded that the subject should be made to apologise to the witness for lack of respect given to him and recommended that the parish council consider some training for Councillor Hunt.

Chairman



Member Code of Conduct Complaint

Decision Notice

Subject Member	Councillor Cathy Hunt
Parish Council	Prestbury Parish Council
Decision Date:	16 May 2023
Decision:	Complaint partially upheld
Sanction:	N/A

Summary of Complaint

Former Councillor Hilarie Owen alleges that at a meeting of a climate change working group on 3rd March 2023 Councillor Hunt shouted and acted aggressively towards her. This resulted in her leaving the meeting very upset and immediately resigning from the Council.

This incident followed a previous altercation with Councillor Hunt over her attitude towards a new Councillor – Dan Taylor. Where it is alleged that Councillor Hunt was very unwelcoming to Councillor Taylor and was 'aggressive in her questioning' of him. In a subsequent meetings Councillor Hunt is also alleged to have to have been unpleasant to Councillor Taylor, stating that 'I don't need someone like you telling me what to do.'

Parts of the Code of Conduct alleged to have been breached

The complainant alleges that Councillor Hunt has breached the following part of the Code of Conduct:

- Failure to treat fellow Councillor with respect
- Bullying

Standards Hearing Sub-Committee

This complaint was considered by the Standards Hearing Sub-Committee on 16 May 2023.

Hilarie Owen was in attendance and addressed the Sub-Committee.

Councillor Cathy Hunt was unable to attend but submitted a statement which was read to the Sub-Committee

Councillor Sandra Attwood and Councillor Dan Taylor were also in attendance as witnesses and addressed the Sub-Committee.

Full minutes of the hearing are available on the Council website:
www.cheltenham.gov.uk

The decision of the Hearing Sub-Committee was as follows:

On the balance of probabilities the Sub-Committee found:

- Failure to treat fellow Councillor with respect in relation to Hilarie Owen – Not Proven
- Failure to treat fellow Councillor with respect in relation to Councillor Dan Taylor - Proven
- Bullying – Not proven

The full text of the decision is available within the minutes

Sanctions

Councillor Hunt is required to issue an apology to Councillor Dan Taylor.

The Sub-Committee also recommended that the Parish Council give consideration to arranging some training for Councillor Hunt.

Appeal

There is no right of appeal against this decision.

Claire Hughes
Monitoring Officer
Cheltenham Borough Council

19 May 2023



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