

**STANDARDS COMMITTEE HEARING PANEL held at COMMITTEE ROOM -
COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11
4ER, on TUESDAY, 21 JANUARY 2020 at 10.00 am**

Present: Councillor S Barker (Chair)
Councillors A Khan and N Reeve
G Butcher-Doulton (Independent Person)

Officers in attendance: A Bochel (Democratic Services Officer) and S Pugh (Assistant Director - Governance and Legal)

Also present: Parish Councillor Couchman and a friend
Parish Councillors Barrow, Carter and Cook (Complainants)
S Pearson (Advisor to the Panel)
K Cole (Investigating Officer)
Witness 1 and Witness 2

ST8 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Councillor Reeve noted he had been rung by one of the witnesses to be called by Councillor Couchman, and he had assured him the meeting would follow proper process.

ST9 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that under section 100I of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 part 1 of Schedule 12A of the Act

ST10 COMPLAINT AGAINST A COUNCILLOR

The Investigating Officer gave a summary of her report into complaints against Councillor Couchman. The complaints were:

- 1) That Councillor Couchman had disclosed confidential information contrary to the Parish Council's Code of Conduct.
- 2) That Councillor Couchman had failed to declare a personal interest as required by the Parish Council's Code of Conduct.

There were two elements to the complaint regarding breaches of confidentiality:

- That Councillor Couchman had disclosed confidential information to a third party relating to a former employee
- That he had shared confidential information relating to a legal dispute with third parties.

The complaint regarding failure to declare an interest related to consideration by the Parish Council of the award of work to a third party contractor with whom Councillor Couchman had a close personal association. Councillor Couchman had, on occasion, declared an interest and on others he had not.

Councillor Couchman had previously accepted that he should not have disclosed information relating to the former employee. Following a meeting with Uttlesford DC's Monitoring Officer he had agreed to give an apology at a Parish Council meeting to the Parish Council, to the Parishioners of Clavering and to the individuals concerned unreservedly. The "individuals concerned" included the Clerk. In the event, the apology given by Councillor Couchman excluded the Parish Council and the former employee.

Councillor Couchman denied disclosing confidential information relating to the legal dispute and called witnesses in support.

The Panel retired to consider its decision. On its return, The Chair said the Panel believed that Councillor Couchman had breached the Code of Conduct by:

- 1) Disclosing confidential information relating to the former employee against the provisions set out in paragraph 3.3.5 of the Code of Conduct.
- 2) Failing to disclose an interest under Part 2 of the Code.

Councillor Couchman said he would be prepared to undergo further code of conduct training and would be more consistent in declarations of interest. He would consider making an apology.

The Panel retired again to prepare its full decision, which was read to those present.

**Decision of the Extraordinary Standards Committee, Uttlesford District
Council
held on 21 January 2020 Chaired by Cllr S Barker**

1. We find that Cllr Couchman has failed to declare a personal interest relating to Part 2 of the Councillors Code of Conduct relating to Clavering Parish Council. We determine that Cllr Couchman must undertake Governance training on declarations of interest and code of conduct matters within an agreed timescale.
2. We find that Cllr Couchman has disclosed confidential information in relation to a matter concerning a former employee, also in breach of Part 2 of the Councillors Code of Conduct and further determine that the letter of apology from Cllr Couchman previously issued by him should be expanded to include an apology to the Parish Council and is sent within 14 days. Should this not be done within 14 days then Cllr Couchman will be subject to a formal censure.

3. In response to the matter involving the alleged disclosure of information in relation to a dispute between Clavering Parish Council and third parties, we find there is not sufficient evidence to find against Cllr Couchman.
4. In making our decision, we acknowledge the long service of Cllr Couchman
5. These findings will be reported to the Clavering Parish Council, who we believe would benefit from further training in matters of governance.

The meeting closed at 15.20.