

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

STANDARDS COMMITTEE

**Minutes from the Meeting of the Standards Committee held on Thursday,
19th July, 2018 at 10.00 am in the Council Chamber, Town Hall, Saturday
Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor B Ayres (Chairman)
Councillors Miss S Sandell and Mrs M Wilkinson

OFFICERS:

Alexa Baker, Investigator
Emma Duncan, Legal Adviser
Wendy Vincent, Democratic Services Officer

INDEPENDENT PERSON:

Carol Wilkinson

OBSERVING:

Councillor J Collop
Councillor Mrs S Collop
Councillor M Howland

1 **APOLOGIES**

An apology of absence was received from Councillor T Wing-Pentelow.

2 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3 **TO CONSIDER THE INVESTIGATION AGAINST A BOROUGH
COUNCILLOR**

The Chairman welcomed everyone to the Hearing and introduced the Panel, Officers and the Independent Person.

The Subject Member and the Complainant were not present. The Chairman advised that the Hearing would therefore proceed in their absence.

The Chairman outlined the procedure that would be followed at the Hearing.

At the invitation of the Chairman, the Investigating Officer presented her report.

The Panel was invited to ask questions of the Investigating Officer.

The Investigating Officer responded to questions from the Panel and the Legal Adviser.

There were no questions from the Independent Person.

The Investigating Officer summed up the complaint.

At 10.24 am, the Panel retired to consider the decision in private, accompanied by the Independent Person, Legal Adviser and Democratic Services Officer.

The Panel reconvened at 11.12 am.

The Chairman read out the Decision and advised that the Decision Notice would be published on the Borough Council's website within the next 7 days (copy of which is attached to the minutes).

The meeting closed at 11.15 am

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council of King's Lynn and West Norfolk

Standards Committee Hearing

Date: 19 July 2018

Complaint Reference Number:

Borough Councillor Toby Wing Pentelow

DECISION NOTICE

Standards Committee Members	Borough Councillor B Ayres (Chairman) Borough Councillor S Sandell Borough Councillor M Wilkinson
Council Officers	Wendy Vincent, Democratic Services Officer Emma Duncan, Monitoring Officer
Independent Person	Carol Wilkinson
Local Investigator	Alexa Baker
Date of Investigator's Report	24 May 2018

Decision Notice

Standards Committee Hearing
Borough Council of King's Lynn and West Norfolk
Date: 19 July 2018
Reference: 9765

1. Summary of the Complaint:

It is alleged that Borough Councillor Toby Wing Pentelow breached the Code in that he made an insulting remark to the Complainant at a Full Council Meeting on 25 January 2018 when the Complainant asked a question in her capacity as a member of the public.

2. Relevant sections of the Code of Conduct

The Borough Council has adopted the Code.

The Code contains the following provisions that are relevant to this investigation:

"As a Member of the Borough Council of King's Lynn and west Norfolk my conduct will in particular address the statutory principles of the Code by:

Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

Always treating people with respect, including the organisations and public I engage with and those I work alongside."

3. Summary of evidence considered and representations made

The Investigator found that the comment made was insulting to the Complainant and that the Councillor DID breach the Code by failing to treat the Complainant with respect, and that by failing to apologise to the Complainant, despite being invited to do so, the Councillor has thereby aggravated the severity of the breach.

Neither Cllr Wing Pentelow nor the Complainant were present during the hearing.

4. Facts and Reasons

The Panel carefully considered the report, and the responses provided by the Investigator and reached the following conclusions;

The Panel noted that there was no dispute in relation to the key fact.

The Panel also noted Cllr Wing Pentelow's late and very brief explanation of the use of the term "down the docks" and lack of engagement in the investigative process.

The Panel considered that a reference to going or being 'down the docks' is local common parlance for referencing prostitution which has historically centred around the docks in port towns such King's Lynn and that this was a sexist comment.

The Panel did not accept Cllr Wing Pentelow's explanation that the comment was that it was a genuine question regarding whether the Complainant was suggesting that she and Councillor Lawrence sleep rough at or around the Purfleet Trust.

The Panel also noted that Cllr Wing Pentelow did not consider apologising, despite being asked as to whether he was willing to consider doing that on 7 February 2018 by the Monitoring Officer until 2 days prior to the hearing.

The Panel felt that this comment, being made at a public meeting of Full Council reflected very poorly on the Borough Council of King's Lynn and West Norfolk and did not reflect the high standards that elected councillors as representatives of their communities should aspire to.

5. The Panel identified the conduct identified as being a breach of the Borough Council of King's Lynn and West Norfolk Code of Conduct.

6. Sanctions

The Standards Committee at the Borough Council of King's Lynn and West Norfolk exists to maintain high standards of conduct amongst elected members in line with the Code of Conduct and the expectations that the public have of elected members.

On this occasion they felt that Cllr Wing Pentelow's conduct fell short of the standards expected. Taking into account the circumstances of the case and the Councillors lack of acknowledgement of the offence that was caused, the Panel recommended that;

- Cllr Wing Pentelow apologise to the Complainant, in terms agreed by the Chairman of the Standards Committee at a meeting of Full Council.
- Cllr Wing Pentelow be removed from any committee membership and removed from appointments to any outside body.
- Cllr Wing Pentelow be reported to Full Council and censured.

Signed..... Date: 19 July 2018

(Councillor B Ayres, Chairman of the Standards Committee Hearing)