

CASE I

GREAT NORTON PARISH COUNCIL – COUNCILLOR JAMESON

Summary

The complainant refers to a meeting of the parish council on 16 November 2006. It is alleged that when the chairman asked if there was any other business, Councillor Jameson said, “I’ve got some!”, swung round in his chair, directly facing the complainant, and launched into a loud and aggressive verbal attack. It is alleged that he accused the complainant of calling the chairman “undemocratic” at a previous meeting and demanded that she apologise. The complainant subsequently explained in writing that she was accusing the council of being undemocratic, not the chairman, and has apologised to him for the misunderstanding. She also wrote to the chairman of the parish council to complain about Councillor Jameson’s alleged treatment of her at the meeting.

It is reported that the next meeting of the parish council, advertised for 21 December 2006 at the village hall, was brought forward to 20 December 2006 at the Lions Club, which precluded the public, including the complainant, from attending. It is alleged that the meeting went into confidential session to discuss the complaint against Councillor Jameson, but that he failed to declare a prejudicial interest in the matter and remained in the meeting that considered a matter affecting him.

The chairman then wrote to the complainant to say that the parish council had found that, “as the alleged incident took place after the parish council meeting had closed, they found that Councillor Jameson was not in breach of any form of misconduct. It was unanimously agreed that no action be taken regarding Councillor Jameson and the matter to be considered closed”. They also agreed to ban the public from speaking at future meetings.

26 JAN 2007



complaint form

RECEIVED

If you have any questions or difficulties filling in this form, for example – if English is not your first language or you have a disability – please contact the Referrals Unit on 0800 107 2001.

You can also email them at newcomplaints@standardsboard.co.uk

Please note

- > we can only accept complaints in writing
- > one of our officers may contact you personally to go through the details of your complaint
- > we are unlikely to be able to keep your identity confidential if you make a complaint

ABOUT YOU

title Mr Ms Mrs Miss Councillor Other (please specify)

first name Jo surname Barlow

address Chimney Cottage, Great Norton,
Snelling postcode SM4 1TJ

daytime telephone

evening telephone

email

Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature

date 23 01 07

YOUR COMPLAINT

Who are you complaining about?

Please give the name of the councillor/s, member/s or co-opted member/s that you consider has broken the Code of Conduct and the name of their authority/ies.

name of the individual/s

Mr R. Jameson

name of their authority/ies

Great Norton Parish
Council

Please tick here if you work for the authority/ies shown above

Please tick here if you are a member of the authority/ies shown above

complaint form

WHAT ARE YOU COMPLAINING ABOUT?

Please provide us with as much information as you can about your complaint to help us to decide whether or not it should be investigated. Include the date and details of the alleged misconduct, and any information that supports the allegation. We can only investigate complaints that a member has broken a local Code of Conduct (see section 3 of the information leaflet *How to make a complaint*). Continue on a separate sheet if there is not enough space on this form.

16-11-06 COUNCILLOR JAMESON BREACHED THE CODE OF CONDUCT BY FAILING TO TREAT A MEMBER OF PUBLIC WITH RESPECT AND IN DOING SO CONDUCTED HIMSELF IN A MANNER LIKELY TO BRING HIS POSITION AND THE PARISH COUNCIL INTO DISREPUTE.
PLEASE REFER TO SEPARATE SHEET.

20-12-06 COUNCILLOR JAMESON BREACHED THE CODE OF CONDUCT BY FAILING TO WITHDRAW FROM THE MEETING WHEN A MATTER IN WHICH HE HAD A PREJUDICIAL INTEREST WAS DISCUSSED AND SOUGHT IMPROPERLY TO INFLUENCE A DECISION ON THE MATTER.
PLEASE REFER TO SEPARATE SHEET.

EVIDENCE (if this applies)

Please attach to this form copies of any correspondence, documents, names and details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please tick this box if you would like us to return the evidence to you.

Please send this form to:

The Standards Board for England
PO Box 36656
London SE1 0WN

The *Race Relations Act 2000* requires us to monitor ethnic or national origin to ensure that we do not inadvertently discriminate against members of a particular group. It would, therefore, be helpful if you would complete the ethnic monitoring section of the form, although this is not compulsory.

The answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.

complaint form

CONTINUATION

16-11-06 Councillor Jameson breached the Code of Conduct by failing to treat a member of public with respect and in doing so conducted himself in a manner likely to bring his position and the Parish Council into disrepute.

20-12-06 Councillor Jameson breached the Code of Conduct by failing to withdraw from the meeting when a matter in which he had a prejudicial interest was discussed and sought improperly to influence a decision on the matter.

During the November 16th Parish Council meeting (Agenda item "Any other Business") the Chairman asked if there was any other business. Councillor Jameson said "I've got some" swung round in his chair so he was directly facing me, within arms length, and launched into a verbal attack shouting at me in a very loud, aggressive manner which made me feel incredibly intimidated, harassed and in fear of my safety. I was so anxious & uncomfortable with his being so close to my face and in an obvious state of anger that I had to stand to make some distance between us for my own safety.

[His outburst was regarding his belief that I had called the Chairman undemocratic during the October Parish Council meeting. This was not true & has been addressed separately and is not covered by this complaint]

I wrote a letter of complaint to the Chairman which is attached for information. In this letter I laid out my complaint and requested that a resolution be sought at local level.

On December 20th the Parish Council held another meeting, this should have taken place in the Village Hall on the 21st as stated during the November meeting but the date and venue was changed without the statutory notice having been given thus precluding myself and other members of the public from attending.

At this meeting my letter of complaint was discussed and the Parish Council made a resolution that a response be sent to me.

Councillor Jameson did not declare a prejudicial interest, did not leave the room and participated in the deliberations and decision making. His presence during this debate prevented proper discussion, his presence and participation influenced the decision.

On Sat 13th January I received a letter from the Parish Council in response to my complaint. It states that "as the alleged incident occurred after the meeting had closed, they [the council] found Cllr Jameson was not in breach of any form of misconduct"

The Minutes of the November meeting record the incident during "Any other Business ahead of "Matters for the next Meeting" although the form of words used does not correctly record the happenings [this is being addressed by our Residents Group – letter attached for info.]. The Minutes of the December 20th meeting, where my letter of complaint was discussed also record the 'incident' as having occurred during the meeting.

On Monday 15th January 2007 I sought advice from the Winward Borough Solicitor following which I sent the Parish Council a response to their letter dated 10th January and began the complaint procedure of The Standards Board.

Enclosed for Evidence / Information;

1. Agenda November 16th 2006
2. Minutes November 16th 2006
3. Letter of Complaint to Parish Council Chairman 9th December 2006
4. Letter of explanation to Parish Council Chairman 28th November 2006
5. Agenda December 20th 2006
6. Minutes December 20th 2006
7. Letter from Parish Council regarding my Complaint 10th January 2007
8. Letter to Parish Council in response to their Letter 16th January 2007
9. Letter to Parish Council from gt Norton Residents Group 18th January 2007

Witnesses:

Mr Bond

Mr Duggan

Councillor Winter

1 of 1

1 NOV '06

GREAT NORTON PARISH COUNCIL

30th Nov
closing re election

9 November 2006

Dear Sir/Madam,

A Meeting of *Gr Norton* Parish Council will be held in the Village Hall, *Great Norton* on Thursday 16 November 2006 at 7.00pm.

I trust you will be able to attend.

Yours faithfully,

Clerk

AGENDA

1. Minutes - to approve as a correct record the minutes of the last meeting.
2. Apologies for absence
3. Declarations of Interest
4. Matters arising from the last meeting
 - (a) Policing of the Village
 - (b) Allotments rules
 - (c) Village Improvements
 - (d) Lights by the Children play area
5. Precept 2007-2008
6. Correspondence

election - May

2/2006/1136 Planning Application Detached dwelling at
 2/2006/1146 Planning Application Detached dwelling at
 Consultation on Works to Tree preservation Order Trees TPO 7/2005
 Notification from Inland Revenue
 Letter from Countryside Alliance
 Donation request from CAB

*1 x ASH
 4 x SYCAMORE
 30% CROWN REDUCTION
 ON ALL 5 TREES
 'COS BRANCHES VERY
 LOW*

7. Clerks Report
8. Matters for discussion at next meeting.

- vacancy for governor - 29th Nov. mtg

162

(2) 10/4

NOV '06

Minutes of a meeting of ~~St Noston~~ ^{Gt Noston} Parish Council held in the Welfare Hall,
Gt Noston on Thursday 16 November 2006 at 7.00pm.

Present: Mr Jones
Mrs Storr
Mr Wragge
Mr Anders
Mr Jameson
Mrs Atkinson
Mr Deighton
Mr Leck
Mrs Winter

Apologies: Cllr Burke, Mr Wilson

Also Present: 3 members of the public.

MINUTES

The minutes of the last meeting were agreed as a correct record.

DECLARATION OF INTEREST

None declared.

MATTERS ARISING

Policing the Village

No one from the police was available to attend the meeting

Allotments

The chairman had been revising the allotment rules and asked the clerk to photocopy them, so that they could be circulated to the committee at December's meeting.

Village Improvements

The light on the corner of the Gavels is off.

The light (07) behind the home housing car park is off and one of the lights on the path between the village and Riverside is also off.

ACTION - Clerk to Report to CC

(2) 2 of 4

PRECEPT 2007-2008

As the clerk did not have all the information to hand Mr *Jameson* requested that the matter be held over until December's meeting.

A discussion took place around the street lighting requirements , as CC had said that even though they had a list of 5 lamp standards requested for the village, they had no budget. It was decided that money be put into the precept for at least one lamp standard.

(2) of 4

Following an incident at the close Octobers meeting, the Chairman asked one member of the public, Ms BALOW, who had been at the previous months meeting, for an apology for the remarks that she had made and for calling the Chairman undemocratic. Ms BALOW denied doing this. During a heated debate Mr Pearson suggested that Ms BALOW be barred from the Parish Council meetings until she gave, in writing, an unreserved apology for falsely accusing the Chairman of being undemocratic. Ms BALOW said that she would write to the Chairman with an apology.

Matters for discussion at next meeting.

None declared.

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INCORRECT RECORD
① CHAIRMAN MADE NO REQUEST
.... CLR JAMESON

(3) 10/11

9th December 2006

Dear Chairman

I am writing to complain about Councillor *Jameson*'s treatment of myself during the November 16th Parish Council meeting 2006.

Councillor *Jameson* failed to treat me with respect. I was incredibly intimidated and harassed by his shouting in my face from such close proximity which is why I had to stand up to create some distance between us. He continued to harass myself after the meeting had closed upon my leaving the Hall.

The reason for his shouting was, as I explained, due to his mistaken belief that I had, during October 19th meeting, called you, Mr Chairman, undemocratic. I had not and fully explained such at the time (and by separate letter to yourself).

During Councillor *Jameson*'s outburst he shouted he would have me banned from future Parish Council meetings. With respect, this is not in the power of Councillor *Jameson*, only the Chairman, and it is illegal to decide to exclude a member of public from future council meetings.

I feel that through his disrespect he has conducted himself in a manner likely to bring his position and the Parish Council into disrepute.

I realise I can make a complaint to the Standards Board but would prefer that my complaint be dealt with and resolved locally.

As a resolution of my complaint I am willing to accept a full verbal and written apology with assurance there will be no repeat incidences of disrespect, intimidation or harassment by Councillor *Jameson*.

Yours Sincerely

Mrs *Ballas*

(4) 1001

28th November 2006

Dear Mr

Jones

I am writing to try and correct the misunderstanding that apparently arose during the last parish council meeting.

If anything I said has caused you upset or annoyance I can only apologise and say that that was never my intention. Any remarks I made were not aimed you, personally but at the council's procedures.

Perhaps I expressed myself badly, but any use of the word "you" and "your" were intended to refer to the council as a body. Nor was my remark ever intended to infer that the council was undemocratic in every regard, but only in its process relating to the consultation regarding the village plan.

As I tried to explain, during the November 15 parish council meeting, I thought the process of deciding what changes should be made to the village boundary was undemocratic and that remains my view.

Again, I can only say that I never aimed the remark at you, and I sincerely hope you will accept my apology and explanation that I regarded the process and not you, as undemocratic.

Yours Sincerely

Ms Barros

(5) 10/01

DEC '06

Great Norton PARISH COUNCIL

15 December 2006

Dear Sir/Madam,

A Meeting of Great Norton Parish Council will be held in the THE LIONS CLUB on WEDNESDAY 20 DECEMBER 2006 at 7.00pm.

Gt Norton

I trust you will be able to attend.

Yours faithfully,

Clerk

AGENDA

- 1. Minutes - to approve as a correct record the minutes of the last meeting.
- 2. Apologies for absence
- 3. Declarations of Interest
- 4. Matters arising from the last meeting
 - (a) Policing of the Village
 - (b) Village Improvements
 - (c) Confidential issues.
- 5. Precept 2007-2008
- 6. Correspondence

Letter from Resource

County Council re Village boundaries re Tree preservation Order 7/2005 re Tree preservation order 7/2005

Consultation re Planning Application 2/2006/1256 - Town & country Planning (Local development) Regulation 28

Land registry - re :- re Village boundary

Flyer from Highways

Request for Donation Rape Crisis

Information from CALC

Consultation re Planning Application 2/2006/1229 - This was consulted upon due to time scales and application agreed.

- 7. Clerks Report
- 8. Matters for discussion at next meeting.

(6) 10/3

DEC 16

Minutes of a meeting of Gt. Clifton Parish Council held in the Lions Club, William Street, Gt. Clifton on Thursday 20 December 2006 at 7.00pm.

Present: Mr Jones
Mr Wragge
Mr Anders
Mr Jameson
Mrs Atkinson
Mr Deighton
Mr Leck

MIN 20/06

Apologies: Mr Wilson Mrs Storr

Also Present: Cllr Burke, 1 member of the public

MR C. EASTON

MINUTES

The minutes of the last meeting were agreed as a correct record.

DECLARATION OF INTEREST

None declared.

MATTERS ARISING

Policing the Village

No one from the police attended the meeting. Comment was passed that the Police were rarely in the village and it was felt that "they were never there when required."

Allotments

The chairman apologised for not having the revised allotment rules. They were still being worked on and would be presented to the council and the allotment society for approval when they were completed.

The spare allotment had been allocated to:

The chairman said that he was going to contact the RSPCA re the animals kept on the allotments, and ask them to visit every three months to make sure that there were no problems and the animals were being kept in good condition.

Village Improvements

Dog bin was requested

that another bin post be erected in the village

The post has been erected. It was also requested

16/2003

ACTION - Chair to contact

A request was made by _____ for a light at the bottom of _____. It was noted that this has already been requested from CC, who have stated that there is no money in their budget for street lighting at the moment and that they now have a total of five street light requests for _____. The road sign outside _____ house, will be fixed to the wall after the wall has been built.

Lights by the Children's seating area.

Clerk reported that we would have to wait for another estimate for the lights, as per the e mail that she had received from _____ (_____ Borough Council). _____ felt that this was not correct.

ACTION - Clerk to Contact _____ and _____ (_____ Community Safety Officer)

_____ has requested that the two grit bins in the village be filled by the Highways Dept.

The hedge down Middle gate also required cutting back.

PRECEPT 2007-2008

After a discussion on the Councils Finance's it was decided to ask for an increase in the precept for 2007-2008.

A cheque for £20 was received from the Allotment society. It was agreed to pay £160 to _____ for the seat at bank top and bin post.

Correspondence

Planning application no 2/2006/1256 Proposed conservatory- Agreed

Request for a donation form _____ Rape Crisis was turned down.

Ms ATKINSON requested more information on the Right to Roam Act. Mr JAMESON informed Ms ATKINSON that after doing a search on the internet he could find no restrictions in the village area.

6 of 3

A letter from the land registry office appears to confirm that the land in question at Lonin as not been registered by any party. It was agreed that the Clerk would contact County Council to register the land for the Parish. A letter is to be sent to the occupier of

Vacancy on Parish Council

NOT ON AGENDA

Present at Meeting

There were two applications to join the Parish Council. Mr C. EASTON and Ms Barton.

After taking legal advise from the Borough Solicitor, it was discovered that there was not sufficient time between now and the local elections in May, to hold an election for a new member. Therefore the Parish Council members voted and the vote was unanimously in favour of MRC EASTON. Mr Deighton asked if it was legal for the parish Council to do this and the chair responded that it was.

Confidential Issues

MR. C. EASTON

① The member of the public and Councillor Burke were asked to leave the room.

The chair read out three letters that had been received, two from Ms Barton & one from Mr Bond.

Two of the letters were complaints re the heated discussion that had taken place at the previous meeting.

After reading out the letters and a frank discussion by the Parish Council, it was unanimously decided that the Parish Council would revert to the usual practice of no members of the public, what so ever, being allowed to speak at any Parish Council meeting. Any business that members of the public have for the Parish Council, must be conveyed through one of the councillors.

Once Cllr Burke and the member of the public were asked to return to the room, the chair wished everyone a Happy Christmas and the meeting was closed.

① Mr JAMERSON WAS NOT ASKED TO LEAVE THE ROOM WHILE COMPLAINTS AGAINST HIM WERE DISCUSSED

Matters for discussion at next meeting.

None declared

② NO 'ACTION' MINUTED WAS IT AGREED TO SEND A RESPONSE LETTER INCLUDING THE CONTENT?

(7) 10/21
Gt Norton Parish Council

Ms Barton

10 January 2007

Dear Ms Barton

RE Complaint regarding Cllr Barton

Thank you for your letter concerning Cllr Jameson. The matter was discussed at the Parish Council meeting held on 20th December 2006. After reading your letter the matter was discussed at length, and the Council found that, as the alleged incident took place after the Parish Council meeting had closed, they found Cllr Jameson was not in breach of any form of misconduct. It was unanimously agreed that no action be taken regarding Cllr Jameson and the matter to be considered closed.

The Parish Council also decided that due to the disruption caused by members of the public during Parish Council meetings, in future, no member of the public would be allowed to speak in meetings. The Council have decided to revert to the previous practice of any business that members of the public require to be brought to the Council, must be presented through a member of the Parish Council.

I would also like to take this opportunity to thank you for your application to join the Parish Council. Due to the local elections taking place in May, we are unable to hold an election in the interim period. As there were two candidates for the position, the Council voted on the candidates and unfortunately you were not successful in your application at this time.

Yours sincerely

Mr Jones

Chairman great Clifton Parish Council

(3) 1021
16th January 2007

Dear Chairman

Re Your letter dated 10th January 2007, RE Complaint regarding Cllr Jameson
Response to my letter of complaint dated 9th Dec 2006

Jameson

Dear Mr *Jones*

Thank you for your letter dated 10th January 2007, regarding my complaint against Councillor Pearson in response to my letter of complaint of December 9th 2006.

I am afraid that I am dissatisfied with your council's response to my complaint and I do not share your view that the matter is closed. I had sincerely hoped that this issue could be resolved at local level but, as your decision was not based on the actual facts nor arrived at in accordance with the Code of Conduct, you leave me no recourse other than to take this matter further.

I take issue with your decision that "as the incident took place after the meeting Cllr Pearson was not in breach of any form of misconduct" when it in fact happened as the only item under 'Any other Business' as evidenced in your Approved Minutes of the November 16th meeting and witnessed by other members of the public.

The meeting held Wednesday December 20th, at which your response was determined, also raises other issues which, I am afraid, will form the basis of further separate complaints.

These are:

1. That according to your own minutes, Cllr *Jameson* did not declare a prejudicial interest and is not recorded in your minutes, as having left the room while my complaint about him was discussed.
2. Furthermore, members made decisions about items not published on the agenda. These are:
 - a) The decision that "no members of the public, whatsoever, will be allowed to speak at any Parish Council meeting".
 - b) Voting to co-opt a member to fill a vacancy when that course of action was not published on an agenda.

As you ought to be aware, business cannot be legally transacted by a Parish Council unless it first appears on the agenda for that meeting.

Yours faithfully,

Mrs. *Barlow*

7/18/07
Clifton Norton Residents' Group

January 16, 2007

Tel: _____ (mobile)

Mr. Jones
Chairman
Gt. Clifton Parish Council.

Dear Mr. Jones,

I have been asked to write to you, on behalf of the residents' group because, at your December meeting, you approved the following minute:

Following an incident at the close of October's meeting, the Chairman asked one member of the public, Ms Kirkbride, who had been at the previous month's meeting, for an apology for the remarks that she had made and for calling the Chairman undemocratic. Ms Barlow denied doing this. During a heated debate Mr. Jameson suggested that Ms Barlow be barred from the Parish Council meetings until she gave, in writing, an unreserved apology for falsely accusing the Chairman of being undemocratic. Ms Barlow said that she would write to the Chairman with an apology.

It is a form of words, which does not begin to reflect the events of the night in question, and which, because they are a matter of public record, MUST do so accurately.

However, the minute in question contains several inaccuracies; glosses over and trivialises what was in fact disgraceful conduct on the part of Coun. Jameson

As a first instance it refers to "heated debate". There was no debate as such. Our contemporaneous shorthand notes show that in fact Coun. Jameson merely began haranguing Ms Barlow in an aggressive manner. His case, such as it was, should have been made through you, the chairman, and

20/2

arguably should not even have been being made by him in the first place, since the matter did not involve him.

Its also says the chairman asked for an apology, when it was in fact demanded, but not by the chairman but by Mr Jameson. Furthermore Ms Barlow offered to write "an explanation" rather than an apology. She said that IF she had expressed herself in a way which had been misunderstood, she was sorry.

Your minute also states that Mr Jameson suggested Ms Barlow be barred from council meetings, when in fact our notes reveal that he went on to claim, very loudly, and directly to Ms Barlow: "I could have you banned", which is again plainly untrue.

Such a move would require a formal motion, seconded and approved by the full council which we presume does not come on his say so.

Even your minutes show no such proposal, seconder, or vote thereon.

Our shorthand notes, taken at that time show that Mr Jameson claimed that Ms Barlow had accused you, personally, of being "undemocratic" at the previous (October) meeting.

Our notes of that meeting also show that that was patently not the case.

That situation came about because of an unfulfilled promise, at an earlier parish council meeting, that there would be a public meeting, arranged by your council, at which villagers could comments on the upcoming Local Plan.

Our group feels aggrieved at the fact that the promised meeting never materialised and that the Parish Council's deliberations, about suggested changes to the Local Plan, were carried out almost entirely in secret and without proper public consultation, before the council's views were presented to Allerdale Council.

It is against that background that Ms Barlow, who is the Residents' Group's appointed spokesperson, said: "You are being undemocratic", referring to the lack of proper public consultation and not to you, Mr Jones.

It was on the basis of possible misinterpretation of her intent, that she agreed to explain to you, personally and not the council as a whole, in writing, and I believe that she subsequently did so. Your council's minute implies that she in fact did call you undemocratic and subsequently apologised for that, when that is plainly not the case.

In view of this we wish your council to re-word that minute, to properly, fully reflect the events of that night and to amend the apparent, but I am sure, unintentional, impression that Ms Barlow apologised for something that she never actually did.

I understand that the events of the night of the November meeting led to two written complaints.

Representatives of our group intend to continue to attend your public meetings and to that end we would be grateful if you could ask your clerk to highlight to us any sudden departures from the normal dates and venues of your public meetings.

Yours faithfully,

Mr Bond

secretary