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Councillor Stephen Hugill
c/o Member Support Team
County Hall
Durham
DH1 5UL

26 October 2018

Dear Councillor Hugill

**Re - COM 134 Code of Conduct Complaint - Councillor S Hugill
Letter of Censure**

I write further to the Standards Committee Hearing that took place on 9 October 2018, please find enclosed the Decision Notice.

The Panel's finding was that Part 1 Paragraphs 4 and 6 and Part 2 Paragraph 11 of Durham County Council's Code of Conduct for members had been breached. Following consideration of the Investigating Officer's report, submissions given at the Hearing and advice received from the Independent Person the Panel found that the following sanctions were appropriate in the circumstances:

- Censure.
- Training to be undertaken in the Council's Member Code of Conduct including the Protocol on Officer Member Relations.
- A written apology to be provided in writing to Terry Collins and copied to the Standards Committee for the inappropriate comments made about Council Officers to the Planning Inquiry.

The Panel considered a formal censure to be appropriate because they were concerned by the actions taken by you which they concluded amounted to breaches of the Code of Conduct. The Panel were disappointed that they were given cause to be so critical of your behaviour.

The Panel considered your submission that you did not receive your Register of Interests Form until September 2017 after your election in May 2017. However, they concluded that you should have been aware of your responsibility to declare interests within 28 days of election given that you were

a County Councillor on a previous occasion. In addition, whilst you may have missed some of the induction sessions the Panel heard evidence from the Investigating Officer that the Acting Monitoring Officer sent out information to all newly elected members containing details of their responsibilities. This included information on the requirement to declare interests within the prescribed timescale. Further, the Panel considered that it is the responsibility of each individual member to be aware of the content of the Code of Conduct for Members which clearly indicates the requirements around disclosure of interests. The Panel considered it to be an aggravating factor that the Monitoring Officer had reminded you of the need to complete the form and an opportunity was given to do the same however, it was still not done.

The Panel noted that when you did complete the form in December 2017 you failed to include information relating to the farm you own. The Panel concluded that you were well aware of the need to disclose the farm as a pecuniary interest as you had done so when elected as a County Councillor on a previous occasion.

The Panel were further concerned that after the issue was brought to your attention and it was made clear to you that the farm must be disclosed, including police involvement given the potential criminal offence committed you still did not update the form with the relevant information until 30 July 2018.

In respect of the written submissions you made to the public Planning Inquiry the Panel considered that the comments were clearly inappropriate and disrespectful. The Panel was satisfied that the comments would damage relations between a Member and Officers of the Council and therefore clearly breached the Protocol on Officer Member Relations. The Panel considered the Protocol to be vital to ensure good effective relationships between members and Officers to ensure efficient running of Council business. The Panel were concerned that having been given time to reflect on the comments made away from the sensitive and emotive environment of the Planning Inquiry you were unable to accept that the comments were inappropriate and not what is expected of a Member of Durham County Council.

Please note that this formal censure will be published as a public document.

The Monitoring Officer will make arrangements with you for you to complete the training outlined above to be delivered. The Committee request that you provide the written apology to Terry Collins regarding the representations you made at the Planning Inquiry without delay.

The Monitoring Officer will be asked to update the Committee to confirm that the sanctions set out above have been complied with.

Yours sincerely

Councillor B Kellett
(Chair of the Standards Committee Hearing Panel)