

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Standards Committee

Assessment Sub-Committee

Decision Notice – August 2010

Reference 03/2010:- Complaint by Councillor Mark Loveday against Councillor Stephen Cowan.

Complaint

On 11 August 2010, the Assessment Sub-Committee of this authority's Standards Committee considered a complaint from the Complainant, Councillor Mark Loveday, concerning the alleged conduct of Councillor Stephen Cowan, a member of the Authority. The membership of the Sub-Committee was as follows:-

Ms Joyce Epstein (Independent Member)
Councillor Nick Botterill (Administration Member)
Councillor Lisa Homan (Opposition Member)

Ms Joyce Epstein was the chairman and also present were Michael Cogher (Monitoring Officer) and Kayode Adewumi (Head of Councillors' Services).

A general summary of the complaint is set out below:-

The complaint stated that Councillor Cowan has failed to treat former Councillor White with respect and had brought his office into disrepute by referring to the allowance she was entitled to under the Council's constitution as "a bung". It was suggested that this amounted to a breach of the following paragraphs of the Council's Code of Conduct:-

3(1) You must treat others with respect

5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the authority into disrepute.

We considered a confidential pre-assessment report from the Monitoring Officer which contained a web link to an amended blog page written by Councillor Cowan. We were informed that between the time Councillor Loveday had sent the link and the time of printing it, Councillor Cowan had

amended his Blog changing the title of the article from “Former Tory Councillor’s £230 Per Meeting Bung” to “Former Tory Councillor’s £230 Per Meeting Tip”. The article contained an explanation for his reasons for doing so. A copy of the amended version appeared at Appendix 1 of the report. There appears to be no dispute that the word “bung” was used in the original version of the Blog and this has now been changed to “tip”.

Decision

In accordance with Section 57A (2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee decided unanimously to refer the matter to the Monitoring Officer for other action to be taken. He is to:-

- Circulate guidelines to all Members on the application of the Code to blogs.
- Convey the Committee’s wish that Councillor Cowan apologise directly to former Councillor White for his original choice of words.

The Sub-Committee also decided that the summary of the allegation set out above be provided to the Councillor and that the written summary of this decision which we are required to make available to the public be published.

Reasons for decision

We carefully considered all the documents put before us. In particular we had the benefit of the web link to the amended article where Councillor Cowan wrote about the receipt of an allowance by former Councillor White for attending Audit and Pensions Committee meetings. The title of the article had been changed from “Former Tory Councillor’s £230 Per Meeting Bung” to “Former Tory Councillor’s £230 Per Meeting Tip”. We have noted that Councillor Cowan had included an update to this revised article explaining his initial use of the word “bung” thereby clarifying his position. There is no dispute that the word “bung” was used.

We have considered the senior positions held by the complainant, Councillor Loveday, a Cabinet Member and Chief Whip, and that of Councillor Cowan, Leader of the Opposition and member of the Standards Committee. We believe if we were minded to recommend a full investigation, the Standards Committee would be able to make an impartial judgement on the issues before us and that a referral up to the Standards Board for England would not be required in this case. We have noted that the other options open to us included a full investigation, no further action or a referral to the Monitoring Officer for other action.

We considered that a full investigation would not be appropriate in all the circumstances of the case. We have unanimously agreed to refer the case to the Monitoring Officer for the following other action to be taken:-

- Circulate guidelines to all Members on the application of the Code to blogs.
- Convey the Committee's wish that Councillor Cowan apologise directly to former Councillor White for his original choice of words.

Signed..... Date.....

On behalf of the Chairman of the Assessment Sub-Committee