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## STANDARDS HEARING SUB-COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Friday, 27 January 2017 from 2.00 - 4.12 pm.

**PRESENT:** Councillors Duncan Dewar-Whalley (Chairman), Paul Fleming and Sue Gent.

**OFFICERS PRESENT:** Philippa Davies, Donna Price, Mark Radford and Gary Rowland.

**ALSO IN ATTENDANCE:** Estelle Culligan (Investigating Officer), Sally Pirie (Independent Person) and Parish Councillor Tatton.

### 1152 ELECTION OF CHAIRMAN

**Resolved:** *That Councillor Duncan Dewar-Whalley be elected Chairman for this meeting.*

### 1153 FIRE EVACUATION PROCEDURE

The Chairman outlined the Emergency Evacuation Procedure.

### 1154 DECLARATIONS OF INTEREST

No interests were declared.

### 1155 CONSIDERATION OF COMPLAINT NO. SBC 3.15

The Chairman welcomed everyone to the meeting and asked all those in attendance to confirm their name and what their role was.

### 1156 EXCLUSION OF THE PRESS AND PUBLIC

**Resolved:** *To not pass the resolution to exclude the Press and Public and to hold the meeting in public session.*

### 1157 CONSIDERATION OF COMPLAINT NO. 3.15

The Director of Corporate Services, in his role as Monitoring Officer, introduced the report which set-out the complaint of Member misconduct: SBC 3.15. The Investigating Officer's report had found that there had been a breach in the Members' Code of Conduct, however, not all the allegations had been proved. The Sub-Committee was being asked to determine whether there had been a breach of the Code of Conduct, and if there had, to determine what sanction, if any, should be recommended to the Parish Council.

The Chairman asked the subject member whether he agreed with the information in the Pre-Hearing Summary report. The subject member explained that he considered it was not an accurate version, and was different from previous versions

that he had viewed. The subject matter considered that all the views of those present at the meeting on 6 August 2015 had not been taken into account. The Interim Deputy Head of Legal Partnership advised that the information relevant to this case was set-out within the Executive Summary in the report. The subject matter explained that new evidence had come to light. The Monitoring Officer explained that this could be raised when the case was discussed, and he re-iterated that Members would only be considering the Executive Summary, and the relevant legislation and protocols.

The Chairman invited the Investigating Officer to present the findings of her investigation into the alleged breaches of the Code of Conduct. Members were given the opportunity to ask questions of the Investigating Officer.

The Chairman then invited the subject member to present his case into the alleged breaches of the Code of Conduct. Members were given the opportunity to ask questions of the subject member.

The Chairman invited the Independent Person to present her representation as to whether there had been a breach of the Code of Conduct. She found that there had been a breach of the Code of Conduct.

The Sub-Committee, Interim Deputy Head of Legal Partnership, Legal Assistant and Democratic Services Officer left the meeting at 2.50pm and returned at 3.53pm to advise on the Sub-Committee's decision.

The Sub-Committee determined that there had been a breach of paragraphs 2, 10 and 11 of the Code of Conduct.

The Chairman invited the Independent Person, the Investigating Officer and Monitoring Officer to make representations on any sanctions they considered should be implemented.

The Sub-Committee, Interim Deputy Head of Legal Partnership, Legal Assistant and Democratic Services Officer left the meeting at 4.01pm and returned at 4.10pm to advise of the Sub-Committee's decision on any sanctions that were to be implemented.

In concluding the meeting, the Chairman confirmed that a written decision would be published within 20 working days.

**RESOLVED:**

***(1) That the Sub-Committee found that there was a breach of Paragraphs 2, 10 and 11 of the Code of Conduct and that a sanction be applied to the Parish Council.***

**RECOMMENDED:**

***(1) That the Sub-Committee's findings be reported to the Parish Council for information.***

***(2) In the interests of promoting high standards of conduct Warden Parish Council should adopt a more formal approach to their meetings as their***

***current informal approach appears to encourage behaviours that are not appropriate to that of the Parish Council and its elected members.***

***(3) That all members of the Parish Council attend training on the conduct of meetings.***

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel