

**STANDARDS HEARING SUB-COMMITTEE****Agenda Item: 5**

<b>Meeting Date</b>	27 January 2017
<b>Report Title</b>	<b>COMPLAINT OF MEMBER MISCONDUCT: Ref: SBC 3.15</b>
<b>Portfolio Holder</b>	Leader
<b>Report Lead</b>	Mark Radford, Director of Corporate Services as Monitoring Officer
<b>Lead Officer</b>	Donna Price, Interim Deputy Head of Legal Partnership (Solicitor)
<b>Key Decision</b>	<b>No</b>
<b>Classification</b>	<b>Open with Restricted Appendices</b>
<b>Forward Plan</b>	<b>Reference number N/A</b>

<b>Recommendations</b>	1. That the Standards Sub-Committee considers the Investigator's report and determines whether there has been any breach, or breaches, of the Code of Conduct
	2. If the Standards Sub-Committee finds that there has been a breach, or breaches, of the Code of Conduct, that it should determine what sanction, if any, should be recommended to the Parish Council.

**1. Purpose of Report and Executive Summary**

- 1.1.1 This report concerns the Hearing of the Complaint of Member Misconduct: SBC 3.15. It presents the Investigating Officer's report, which found that there has been a breach of the Members' Code of Conduct. The Sub-Committee is asked to determine whether there has been any breach, or breaches, of the Code of Conduct. If it finds that there has been a breach, then to determine what sanction, if any, should be recommended to the Parish Council.

**2 Background**

- 2.1 On the 27 August 2015 the Monitoring Officer in consultation with the Independent Person considered the complaint of alleged misconduct.

**3 Proposals**

- 3.1 The Investigating Officer found that there had been a breach of the Code. The Standards Hearing Sub-Committee is now being asked to hear the matter and decide whether or not there has been a breach, or breaches, of the Code of

Conduct. If it determines that there has been a breach, the Sub-Committee must consider what sanction to recommend, if any.

- 3.2 The Investigating Officer's Report is attached as exempt Appendix I. Members will see from the Pre-Hearing Process Summary and form C completed by the Subject Member [Appendices II & III] that he disagrees with some of the Investigating Officer's findings of fact and denies being in breach of paragraphs 2, 10 and 11 of the Code of Conduct.
- 3.3 The Hearing Procedure for this Sub-Committee is attached as Appendix IV.

#### **4 Alternative Options**

- 4.1 There are no alternative options.

#### **5 Consultation Undertaken or Proposed**

- 5.1 Not applicable.

#### **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	None
Financial, Resource and Property	The cost of servicing the Council's committees will be met within existing budgets.
Legal and Statutory	The proposals in this report relate to duties imposed by the Localism Act 2011.
Crime and Disorder	None identified at this stage
Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	None identified at this stage
Equality and Diversity	None identified at this stage

## **7 Exempt Appendices**

### **7.1**

- **APPENDIX I** – The Investigator’s report, including appendices EC1 – EC26
- **APPENDIX II** – The pre-hearing process summary
- **APPENDIX III** – **Form C** Areas in dispute with comments from the Subject Member.
- **APPENDIX IV** – Hearing Procedure