

STANDARDS COMMITTEE

9 July 2007

Attendance:

Mr P Smith (Independent Member - Chairman) (P)

Councillors:

Barratt (P)
Berry (P)
Chamberlain

Lipscomb
Nelmes (P)
Read

Independent Members and Parish Representatives in attendance:-

Ms M McCormack (Independent Member)
Mrs S Peach (Independent Member)
Ms A Clear (Parish Representative)
Mr M Westwell (Parish Representative)

Also in Attendance

Mr Michael Mundy (Independent Legal Advisor – Clarke Willmott LLP)
Councillor Bell

95. **APOLOGIES**

Apologies for absence were received from Councillors Chamberlain, Lipscomb and Read and Ms J Bennett (Independent Member) and Ms L Banister (Parish Representative).

96. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 18 June 2007 be approved and adopted.

97. **COMPLAINTS RELATING TO PARISH COUNCILLORS MILLER AND ROGERSON**

(Report ST57 refers)

It was noted that Cllr Chamberlain had apologised for this meeting because he knew all the parties involved in the above matter and considered that, in the interests of transparency and in order to maintain the public perception of impartiality, it would be preferable not to take part in the process. Councillor Chamberlain had also requested the Committee to consider publishing the cost of investigating the above complaint, should a public notice be placed in the local press regarding the outcome of this matter. The Chairman agreed to discuss this request at the appropriate point in the meeting.

Mr Westwell informed the meeting that, in his capacity as a Councillor serving on Swanmore Parish Council (which adjoined Bishop's Waltham Parish Council of which Councillors Miller and Rogerson were members) he knew of the parties in this matter. However, there was no personal friendship or level of contact with any of the individuals which would require him not to take part in determining the two cases.

With regard to publicity of the Committee's decision, there was a requirement to publish in the local press a notice of the investigation outcome unless, in the case of no breach of the Code being found, the Member(s) concerned did not wish such a notice to appear. Neither Councillor had yet indicated whether or not they wished a notice to be published in those circumstances.

The Committee then retired to deliberate in camera.

When the meeting reconvened in public session, the Chairman announced that the findings of the investigating solicitor's report were accepted (subject to one minor amendment in the case of Councillor Miller), and that there had been no failure by either Councillor to comply with the relevant provisions of the Code of Conduct. In reaching those conclusions, the Committee had taken into account all the information contained in Report ST57 and its appendices, together with the complainant's e mail dated 29 June 2007.

RESOLVED:

1. That the report of the investigating solicitors (Bevan Brittan LLP) into two allegations made against Councillor Stephen Miller and their findings that there had been no failure by him to comply with the relevant provisions of the Code of Conduct be accepted, for the reasons set out in Section 5 of that report, subject to, after the words 'pursuant to Paragraph 7 of the Code' in paragraph 6 of the report, the following words being added "...and was not a personal interest which should otherwise be declared pursuant to Paragraph 7 of the Code".

2. That, further to 1 above, the Committee recognised that the complainant's allegation was, in part, that Councillor Miller was Treasurer of Team Skate. However, the Committee was satisfied that there was sufficient evidence that he was not the Treasurer of Team Skate but was, in fact, a cheque signatory.

3. That the report of the investigating solicitors (Bevan Brittan LLP) into two allegations made against Councillor Andrew Rogerson and their findings that there had been no failure by him to comply with the relevant provisions of the Code of Conduct be accepted, for the reasons set out in Section 5 of that report.

4. That Councillors Miller and Rogerson be requested to decide whether or not they wish public notices to be placed in the local press, giving details of the above decisions and the reasons for them.

5. That the Monitoring Officer be requested to submit to the next meeting of the Committee a report providing details of all the costs associated with determining the above complaints.

The meeting commenced at 6.15pm and concluded at 8.30pm

Chairman