

STANDARDS (DETERMINATION) SUB COMMITTEE

Tuesday, 14 July 2020

(adjourned at 5.35pm and then reconvened at 1pm on 23 July 2020 and adjourned at 5.30pm and reconvened at 6pm on 3 August 2020)

Attendance:

Councillor Becker (Chairperson) (P)
Councillor Craske (P)
Councillor Lumby (P)

Others in attendance:

Mr M Cronin – Independent Person

1. **APPOINTMENT OF CHAIRPERSON FOR THE MEETING**

RESOLVED:

That Councillor Becker be appointed Chairperson for the meeting.

2. **DISCLOSURE OF INTERESTS**

There were no declarations of interest made.

3. **PROCEDURE FOR THE HEARING**

RESOLVED:

The Sub- Committee agreed to endorse the procedure as circulated with the agenda for the hearing.

4. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be

disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
	Complaint relating to a City Councillor) Information relating to any individual. (Para 1 Schedule 12A refers)

5. **COMPLAINTS MADE AGAINST A CITY COUNCILLOR**

(Report SSC051 refers)

The Chairperson, with the agreement of the Sub Committee, allowed for an additional document to be submitted to Sub Committee by complaint's representative. This set out a chronology of the matters in Report SSC051.

Mr Heath (acting as Monitoring Officer) provided a summary of the evidence as presented to the Sub Committee in Report SSC051. He also introduced a witness to the Sub Committee who was the Investigating Officer who had produced the Investigation Report. This was appended Report SSC051.

Also present at the meeting was Deputy Monitoring Officer (Catherine Knight from Winchester City Council) and the Legal Advisor to the Sub Committee (Ms Broadfoot QC from Landmark Chambers). The Independent Person (Michael Cronin) would provide assistance to the Sub- Committee during its determination but would not take part in its decision. The councillor subject of the complaints was accompanied by a representative who was to provide support and assistance the councillor with responding to questions from the sub committee, witnesses and the Monitoring Officer etc.

The Standards (Determination) Sub- Committee considered the complaint received by the Monitoring Officer and the information and evidence as set out in Report SSC051 and in line with the procedure adopted by the Sub- Committee; it heard evidence from those present.

The relevant Code of Conduct and arrangements for considering complaints were included as appendices to the report. As the complaint had been received before the Council had adopted its current Constitution (and Code of Conduct therein) in May 2019, the previous Code and processes related to that code applied. Therefore all references and any breaches of the Code were those of the Code of Conduct as it stood at that time.

The Sub Committee considered the report of the Investigating Officer (as set in an appendix to Report SSC051) and determined that further

consideration should be taken in exempt session, by virtue of Paragraphs 1&2 of Schedule 12A of the Local Government Act 1972, as the matter referred to personal details and information pertinent to those persons (the complainants and the councillor subject of the complaint).

In summary, the Sub Committee concluded that with regard to each of the complaints made, there had been no breaches of the Code of Conduct.

RESOLVED:

That, in respect of the complaint relating to a Winchester City Councillor, the findings of the Standards (Determinations) Sub-Committee be as set out in the Decision Notice attached to the minutes.

Chairperson

The meeting commenced at 2.15pm on 14 July 2020, adjourned between 2.50pm and 3.15pm (in order to resolve the councillor subject of the complaint's internet connectivity issues) and adjourned again at 5.35pm. The meeting reconvened on 23 July 2020 at 1pm, adjourned between 2.25pm and 2.40pm and between 4pm and 4.35pm (for comfort breaks) and adjourned again at 5.30pm. The meeting then reconvened at 6.05pm on 3 August to announce its decision and then concluded at 6.15pm. During the period between the adjournment on 23 July and the Sub Committee's reconvening on 3 August, the Sub Committee met in private to consider its findings.

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