



MINUTES OF A MEETING OF THE STANDARDS SUB COMMITTEE, AUDIT AND GOVERNANCE COMMITTEE HELD ON 22nd OCTOBER 2018

PRESENT: Councillors R Claymore, C Cooke and J Faulkner and M Summers

Officers Angela Struthers (Head of Audit & Governance), Ryan Keyte (Head of Legal & Democratic Services) and Jo Hutchison (Democratic and Elections Officer)

Attendees the Councillor's Representative, the Independent Person, Angela Wakefield (the Legal Adviser to the Sub-Committee), Stuart Evans (the Independent Investigator) and the Councillor.

28 APPOINTMENT OF CHAIR

RESOLVED that Councillor Summers be appointed as Chair.

(Moved by Councillor Faulkner and seconded by Councillor Summers).

29 APOLOGIES FOR ABSENCE

There were no apologies for absence.

30 DECLARATIONS OF INTEREST

For openness and transparency Councillor C Cooke reported that the Councillor's Representative was a relative, however, he did not consider that this affected his impartiality nor amounted to a conflict of interest.

The Legal Adviser to the Sub Committee reported that it was a matter for each individual Councillor to decide whether or not he had an interest and provided that Councillor Cooke can assure the meeting that he had an open mind, there was no reason why he could not be present for this procedural meeting.

Accordingly Councillor Claymore left the meeting as her attendance as reserve was not required.

31 EXCLUSION OF THE PRESS AND PUBLIC

Councillor Cooke requested the Legal Adviser's view on excluding the press and public and proceeding to hold the meeting in private. The Sub Committee was advised that it was incumbent on the authority to weigh in the balance whether or not it was in the public interest to hold the meeting in public notwithstanding the fact that there was the ability to hold the meeting in private. This was a matter which the members were entitled to vote on.

RESOLVED: That members of the press and public be now excluded from the meeting on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

(Moved by Councillor Summers and seconded by Councillor Faulkner)

32 STANDARD COMPLAINT AGAINST COUNCILLOR

Report of the Deputy Monitoring Officer and Head of Legal and Democratic Services which submitted for the Sub Committee's attention the Councillor's representative's "Procedural Issues of Concern" document plus attachments, the Council's response plus attachments and the Independent Investigators report.

RESOLVED That the Sub Committee made the following recommendations:

That Council create a mechanism to automatically refer standards complaints to Audit & Governance after a period of one year from the date of complaint if not resolved.

That submissions from the Councillor's representative be considered during the annual review of the Constitution.

That advice be given by the Complaints Procedure that representation could be given by whomever the subject member wishes.

(Moved by Councillor Summers and seconded by Councillor Cooke)

RESOLVED That, in terms of the directions to be given to the next Committee, both parties be given opportunities to make submissions verbally at the Committee and have the opportunity to be asked and ask questions of those present.

(Moved by Councillor Summers and seconded by Councillor Faulkner)

Chair