

## STANDARDS REVIEW SUB-COMMITTEE

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**MINUTES OF THE STANDARDS REVIEW SUB-COMMITTEE MEETING HELD ON 19 APRIL 2016 AT WILTON ROOM, 1ST FLOOR, COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, WILTSHIRE, BA14 8JN.**

**Present:**

Cllr Desna Allen, Cllr Ernie Clark and Cllr George Jeans

**Also Present:**

Kieran Elliott (Senior Democratic Services Officer), Stuart Middleton (Independent Person) and Paul Taylor (Senior Solicitor, on behalf of the Monitoring Officer)

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**5 Election of Chairman**

**Resolved:**

**To elect Councillor Desna Allen as Chairman for this meeting only.**

**6 Declarations of Interest**

There were no declarations

**7 Exclusion of the Public**

**Resolved:**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Numbers 4-5 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

*Paragraph 1 - information relating to an individual*

**8 Review of an Assessment Decision: Reference WC-ENQ00131**

The Sub-Committee considered complaint WC-ENQ00131 from complainant Richard Wiltshire, a Melksham Town Councillor, against Councillor Jonathon Seed, Wiltshire Council.

The Chairman led the Sub-Committee through the local assessment criteria which detailed the initial tests that should be satisfied before assessment of a complaint was commenced. It was agreed the complaint related to the conduct of a member and that the member was in office at the time of the alleged offence and remained a member.

In reaching its decision the Sub-Committee relied upon the original complaint and supporting information, response of the subject member, initial assessment and additional information submitted by the Complainant in their request for a review of the initial decision to take no further action.

The complaint related to a dispute between the complainant and subject member over comments made regarding the alleged potential sale of land in relation to a play area in the community area, with information submitted of private and public comments made by the subject member and the complainant on the issue.

Having reviewed the all evidence. including the supplementary information provided by the complainant, the Sub-Committee were satisfied with the reasoning of the Deputy Monitoring Officer. In particular, while information had been submitted in respect of a councillor not included within the complaint as having made comments in relation to the potential sale of the play area, even if this was the case it was felt the matter was clearly in the realm of a public political debate. As such, the comments of the subject member as part of that public political debate are afforded a high level of protection under the law, and the Sub-Committee agreed with the view of the Deputy Monitoring Officer the comments did not amount to a breach of the Code of Conduct.

**Resolved:**

**To take no further action.**

**9 Review of an Assessment Decision: Reference WC-ENQ00132**

The Sub-Committee considered complaint WC-ENQ00132 from complainant Richard Wiltshire, a Melksham Town Councillor, against Councillor John Thomson, Wiltshire Council.

The Chairman led the Sub-Committee through the local assessment criteria which detailed the initial tests that should be satisfied before assessment of a complaint was commenced. It was agreed the complaint related to the conduct

of a member and that the member was in office at the time of the alleged offence and remained a member.

In reaching its decision the Sub-Committee relied upon the original complaint and supporting information, response of the subject member, initial assessment and additional information submitted by the Complainant in their request for a review of the initial decision to take no further action.

The complaint related to a dispute between the complainant and subject member over comments made regarding the alleged potential sale of land in relation to a play area in the community area, with information submitted of private and public comments made by the subject member and the complainant on the issue.

Having reviewed the all evidence. including the supplementary information provided by the complainant, the Sub-Committee were satisfied with the reasoning of the Deputy Monitoring Officer. In particular, while information had been submitted in respect of a councillor not included within the complaint as having made comments in relation to the potential sale of the play area, even if this was the case it was felt the matter was clearly in the realm of a public political debate. As such, the comments of the subject member as part of that public political debate are afforded a high level of protection under the law, and the Sub-Committee agreed with the view of the Deputy Monitoring Officer the comments did not amount to a breach of the Code of Conduct.

**Resolved:**

**To take no further action.**

(Duration of meeting: 1400-1500)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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