

## STANDARDS REVIEW SUB-COMMITTEE

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**DRAFT MINUTES OF THE STANDARDS REVIEW SUB-COMMITTEE MEETING HELD ON 11 SEPTEMBER 2014 AT THE IMBER ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Desna Allen, Cllr Glenis Ansell and Cllr John Noeken

**Also Present:**

Kieran Elliott (Senior Democratic Services Officer), Colin Malcolm (Independent Person) and Nina Wilton (Head of Governance and Deputy Monitoring Officer)

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**9 Election of Chairman**

**Resolved:**

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

**10 Declarations of Interest**

There were no interests declared.

**11 Exclusion of the Public**

No members of the public were present for the meeting, and the Committee made no determination on whether or not to exclude.

**12 Review of an Assessment Decision: Reference WC 44/14**

*In a change from the agenda, Councillor Glenis Ansell would sit as a member of the Sub-Committee in place of Councillor Trevor Carbin.*

The Deputy Monitoring Officer presented their report, setting out the details of the original complaint, explanation from the Cabinet Member and the Complainant's request for a review of the alternative Deputy Monitoring Officer's decision to take no further action in respect of the complaint against Councillor Jonathon Seed. The Complainant had clarified that their complaint was focused

on their perception that as the Cabinet Member with responsibility for flooding matters, Councillor Seed had a particular responsibility to seek or be provided with further information than that which was provided in the Officer's report and the evidence presented to himself and the other member of the Western Area Planning Committee, in respect of an application considered during the meeting held on 11 June 2014.

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.

Upon going through the initial tests, it was agreed that the complaint related to the conduct of a member, that the member was in office at the time of the alleged incident and that the Code was in force at the relevant time.

The Sub-Committee then discussed the allegations and the evidence presented before them, including additional documents requested and detailed below, before reaching their conclusion.

### **Decision**

**In accordance with the approved arrangements for resolving standards complaints adopted by Council on 26 June 2012, which came into effect on 1 July 2012 and after hearing from the Independent Person, the Review Sub-Committee of the Standards Committee has decided:**

- **To take no further action in respect of this complaint.**

### **For the following reason:**

**In making their decision, the Review Sub-Committee considered the following documents:**

- **The original complaint and supplementary documents submitted by the complainant;**
- **The response of the subject member;**
- **Additional information contained within the complainant's request for a review of the initial assessment decision;**
- **The officer's report submitted to the Western Area Planning Committee relating to planning application 13/06782/OUT: Boreham Road, Warminster;**
- **The minutes of the meeting of the Western Area Planning Committee held on 11 June 2014.**

**In considering the complaint and reviewing the information available and having considered all the facts before them, the Sub-Committee upheld the reasoning and decision of the Deputy Monitoring Officer.**

**They did not consider that any of the matters set out in the complaint, if proven, would be capable of breaching the code.**

**In particular they noted that it was reasonable for a Portfolio Holder, as with any other Committee Member, to rely upon the professional reports compiled by the appropriate officers when making a decision. They noted that the officer report and minutes of the meeting detailed the considerable extent of briefing and discussion that had taken place.**

(Duration of meeting: 1.00 - 1.30 pm)

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

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