

STANDARDS REVIEW SUB-COMMITTEE

MINUTES OF THE STANDARDS REVIEW SUB-COMMITTEE MEETING HELD ON 17 DECEMBER 2014 AT SALISBURY ROOM - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Glenis Ansell (Chairman), Cllr Ernie Clark and Cllr Julian Johnson

1 Election of Chairman

Resolved:

To elect Councillor Glenis Ansell as Chairman for this meeting only.

2 Declarations of Interest

There were no declarations.

3 Exclusion of the Public

Resolved:

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 Number 4 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

4 Review of Assessment Decisions: Reference WC-ENQ49, WC-ENQ56 and WC-ENQ57

The Review Sub-Committee considered the following Code of Conduct Complaints.

5 WC-ENQ49

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.

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

- The original complaint and supplementary information 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 Initial Assessment decision of the Deputy Monitoring Officer

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 in relation to the allegations regarding the meetings of Corsham Town Planning Committee on 9 October and 13 August 2014, if proven, would be capable of breaching the code. They considered the same reasoning applied regarding the allegations relating to Councillor Whalley changing his opinion on an application between meetings of the Wiltshire Northern Area Planning Committee and Corsham Town Planning Committee.

The Sub-Committee upheld the decision of the Deputy Monitoring that alternate resolution by way of additional training was the appropriate decision regarding the allegation that Councillor Whalley had not declared his membership of the Corsham Town Planning Committee at meetings of the Wiltshire Northern Area Planning Committee. They further resolved that this training should be made available or distributed to all unitary members, to clarify their obligations under the Code of Conduct even though there was no statutory expectation to make such a declaration.

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.**

6 WC-ENQ56

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.

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

- The original complaint and supplementary information 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 Initial Assessment decision of the Deputy Monitoring Officer

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.

The Sub-Committee upheld the decision of the Deputy Monitoring that alternate resolution by way of additional training was the appropriate decision regarding the allegation that Councillor Whalley had not declared his membership of the Corsham Town Planning Committee at meetings of the Wiltshire Northern Area Planning Committee. However, they further resolved that this training should be made available or distributed to all unitary members, to clarify their obligations under the Code of Conduct even though there was no statutory expectation to make such a declaration.

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.**

7 WC-ENQ57

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.

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

- The original complaint and supplementary information 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 Initial Assessment decision of the Deputy Monitoring Officer

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.

The Sub-Committee upheld the decision of the Deputy Monitoring that alternate resolution by way of additional training was the appropriate decision regarding the allegation that Councillor Whalley had not declared his membership of the Corsham Town Planning Committee at meetings of the Wiltshire Northern Area Planning Committee. However, they further resolved that this training should be made available or distributed to all unitary members, to clarify their obligations under the Code of Conduct even though there was no statutory expectation to make such a declaration.

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.**

(Duration of meeting: 2.00 - 3.00 pm)

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

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