

STANDARDS REVIEW SUB-COMMITTEE

MINUTES OF THE STANDARDS REVIEW SUB-COMMITTEE MEETING HELD ON 26 JANUARY 2015 AT BRUNEL ROOM, COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, WILTSHIRE BA14 8JN.

Present:

Cllr Desna Allen, Cllr Ernie Clark and Cllr John Noeken

Also Present:

Colin Malcolm

5 Election of Chairman

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

6 Declarations of Interest

All members declared non-pecuniary interests by virtue of being generally acquainted with Councillor Thomson, the subject member, with Councillor John Noeken having in the past served alongside him in the Wiltshire Council Cabinet, but none of the interests amounted to a close connection which would prevent them hearing the case.

7 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

8 **Review of an Assessment Decision: Reference WC-ENQ073**

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. The complainant alleged that officers of the Council provided incorrect information to Councillor Thomson in relation to a complaint made by the complainant. The complainant alleges that Councillor Thomson had breached the Code of Conduct by failing to apologise for having accepted information provided to him by officers

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 Committee relied upon the original complaint, initial assessment and the additional information supplied in the complainant's request for a review of that initial assessment.

The Sub-Committee upheld the reasoning of the Deputy Monitoring Officer in the Initial Assessment that the complaint related to an operational matter that would not, if prove, be capable of breaching the Code of Conduct.

While it was regrettable that incorrect information may have been supplied by officers to Councillor Thomson, it was not improper or a breach of the Code for Councillor Thomson to rely upon that information when responding to correspondence in relation to an operational matter. It was noted that the fact of whether inaccurate information was supplied was currently being progressed through the council's corporate complaints procedure, at the conclusion of which a further response may or may not be appropriate.

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.

(Duration of meeting: 10.15 - 10.30 am)

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

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