

Wiltshire Council

Standards Hearing Sub-Committee

Pre-Hearing Process Summary

Authority	Wiltshire Council
Subject Member	Roger Durie of Great Bedwyn Parish Council
Complainant	Mrs Jan Thornton
Case reference number	WC 06/12
Members of the Standards Hearing Sub-Committee	Cllr Trevor Carbin Cllr Peter Fuller Cllr Howard Greenman
Monitoring Officer / Legal Adviser to the Standards Hearing Sub-Committee	Mr Frank Cain
Clerk of the hearing	Pam Denton
Investigator	Ms Marie Lindsey
Date of Pre-Hearing Review	20 February 2013
Summary of the complaint	
Relevant sections of the Code of Conduct	Paragraph 3(1) – You must treat others with respect Paragraph 5 – You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute
Date, time and place of the hearing	11 March 2013: 2pm in Marlborough

<p>Findings of fact in the investigation report that are agreed</p>	<p>It would appear from the information sent by Cllr Durie that all facts are agreed apart from the number of people attending the meeting.</p>
<p>Findings of fact in the investigation report that are not agreed</p>	
<p>Does the subject member disagree with any findings of the investigation report, including reasons for any of these disagreements ?</p>	<p>Paragraph 7.20 of report Paragraph 7.29 of report</p>
<p>Does the subject member wish to give evidence to the standards committee, either orally or in writing?</p>	<p>Not indicated by subject member</p>
<p>Does the sub-committee want to call relevant witnesses to give evidence to the standards committee?</p>	<p>No</p>

Does the subject member wish to be represented at the hearing by a solicitor, barrister or any other person?	No
Does the subject member want to call relevant witnesses to give evidence to the standards committee?	No
Does the subject member want any of the hearing to be held in private?	No
Does the subject member want any part of the investigation report or other relevant documents to be withheld from the public?	No
Will the Investigator be attending the hearing?	Yes
Proposed procedure for the hearing	The Procedure will follow the Council's Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011 (attached) as explained by the Chairman at the Pre-hearing Review.

Additional Directions	<p>The sub-committee do not see the status of the Knapp residents Assoc or whether the complainant is or is not vexatious as relevant issues to be determined by this sub-committee.</p> <p>The issues that needs to be determined by the sub committee are: -</p> <ol style="list-style-type: none">1. Whether this motion should have been accepted as a motion from the floor.2. If it was should it have been determined as a Part 1 item.3. If the answer to either issue 1 or 2 is no then did the subject member (as chairperson of the meeting) breach the relevant code of conduct by his failure to ensure correct procedures were followed within the meeting.