

STANDARDS HEARING SUB-COMMITTEE

MINUTES of the STANDARDS HEARING SUB-COMMITTEE held at COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE on Monday, 5 July 2010.

PRESENT:

Wiltshire Council Member

Cllr Malcolm Hewson

Parish Council Co-opted Member

Mr Paul Neale

Independent co-opted Member

Mr Gerry Robson OBE

ALSO PRESENT:

Subject Member

Cllr Maurice Flanagan, Dilton Marsh Parish Council,

Representative

Mr Francis Morland

Officers

Mr Ian Gibbons, Monitoring Officer

Mrs Marie Lindsay, Investigating Officer

Mr Liam Paul, Democratic Services Officer, Clerk to the Sub-committee

5. Election of Chairman

In accordance with the requirement that the hearing is chaired by an Independent Member, it was

Resolved:

To confirm Mr G Robson as Chairman for one meeting only.

Mr G Robson in the Chair

The Chairman introduced those present, and ran through the procedure, as outlined in the Agenda.

6. **Declarations of Interest**

There were no declarations of interest by the members of the Sub-committee.

Mr Francis Morland, in attendance as a representative of Cllr Maurice Flanagan, the subject member, wished to declare for the record that although he was himself a member of Dilton Marsh Parish Council, and also Wiltshire Council, he had taken no active part in the events preceding the complaint.

7. **Exclusion of the Press and Public**

The Chairman explained that following the pre-hearing meeting the members of the Sub-committee were minded to hear the complaint in public, subject to any representations from those present advising or requesting otherwise. In the absence of such representations and in the interests of transparency the Sub-Committee agreed that the matter should be heard in public.

8. **Standards Committee Hearing regarding the alleged conduct of Cllr Maurice Flanagan, Dilton Marsh Parish Council**

The Chairman asked the investigating officer to summarise the complaint and the relevant facts, as set out in her report. The complaint alleged that Councillor Flanagan had failed to comply with the statutory requirement, in paragraph 13 (1) of the Code of Conduct, to register his interests within 28 days of his appointment as a member of Dilton Marsh Parish Council.

In accordance with the Council's procedure for determination hearings, circulated with the agenda, the hearing was conducted in three stages, addressing firstly findings of fact, secondly the question of whether there had been a breach of the Code and finally the matter of sanctions.

At each stage the Investigator and the Subject Member, through his representative, were given the opportunity to address the Sub-Committee, and each Member of the Sub-Committee had the opportunity to question them. The Legal Adviser gave advice as and when required.

The Sub-Committee adjourned the meeting to consider its decision at each stage of the hearing process and each time the meeting was reconvened the Chairman delivered the Sub-Committee's findings as detailed in the attached Decision Notice.

The Clerk attended the Sub-Committee's deliberations to record their decision at each stage, and the Legal Adviser was present to advise and assist on matters of law and procedure.

Resolved:

To determine the complaint as set out in the attached Decision Notice.

(Duration of meeting: 9.35 am - 12.30 pm)

The Officer who has produced these minutes is Liam Paul, of Democratic & Members' Services, direct line (01225) 718376, e-mail liam.paul@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115