

From: Chris Humphries [REDACTED]
Sent: 24 May 2012 19:52
To: Wilton, Nina; Browne, Anna; Gibbons, Ian
Cc: Peter Keith-Lucas
Subject: Code of Conduct Pre-Hearing

Dear Ms Wilton

Please find attached Forms A to E duly completed.

My solicitor is unable to attend the Pre-Hearing and sends his apologies. However at the Pre-Hearing I would invite the panel to consider the following procedural points:-

1. Request that all complaints relating to matters which were more than 12 months old at the date of the complaint be dismissed as individual complaints and be admissible merely as "similar fact" evidence, in accordance with SBE Guidance - link
http://genesis/inhouse/legal/regulatory/local_government/standards/SBE%20Local%20assessment%20of%20complaints%202008.pdf
2. Request that all findings under Paragraph 3(2)(a) in the absence of any evidence or suggestion that Councillors Humphries alleged conduct influenced or constituted any action by or on behalf of the authority. Paragraph 3(2)(b) requires that Councillor Humphries' conduct caused the authority to be in breach of any of the equality enactments, and no evidence has been proffered, and no finding of fact made that this is the case; and
3. Request that the element of the complaint in respect of [REDACTED] be dismissed on the basis that it is outside the jurisdiction of the Standards Committee. This matter was not within the complainant's original complaint, which was the "matter" which was referred by the Standards Committee to the Monitoring Officer for investigation under Section 57(2)(a) of the LGA 2000. Upon reference to the Monitoring Officer, Regulation 14 of the Standards Committee Regulations 2008 provide that the Monitoring Officer shall arrange for the investigation of the "matter". Accordingly, there is no jurisdiction for the local investigation to extend to additional matters (in contrast to an ESO investigation under Section 59(1)(b) of the LGA 2000.

Please confirm receipt of this email.

As previously advised, I confirm that I will attend the Pre-Hearing in County Hall (please advise room location) at 9.30am on Wed 30th May 2012.

Regards
Chris Humphries

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>
