

MAIDSTONE BOROUGH COUNCIL

STANDARDS (CONSIDERATION) SUB-COMMITTEE

MINUTES (PART I) OF THE MEETING HELD ON 25 AUGUST 2011

Present: Ms H Hunt (Independent Member)(Chairman)
Borough Councillor B Vizzard
Councillor Mrs E Riden (Parish Representative)
Paul Fisher (Monitoring Officer)
Kate Jardine (Deputy Monitoring Officer)
Keith Trowell (Investigating Officer)
Debbie Snook (Democratic Services Officer)

1. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

2. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

3. **EXEMPT ITEMS**

RESOLVED: That the items on Part II of the agenda be taken in private as proposed.

4. **MINUTES OF THE MEETING HELD ON 1 SEPTEMBER 2010**

RESOLVED: That the Minutes (Parts I and II) of the meeting held on 1 September 2010 be noted as the Member/Co-opted Members who attended the meeting are not present to confirm the accuracy.

5. **COMPLAINT OF MEMBER MISCONDUCT**

The Sub-Committee considered the report of the Monitoring Officer concerning the complaint about a possible breach of the Code of Conduct which it had referred to him for investigation. It was noted that the Monitoring Officer had appointed an Investigating Officer (Mr Keith Trowell, Deputy Monitoring Officer of Tunbridge Wells Borough Council) to look into the matter and the Investigating Officer's conclusion was that there had not been a breach of the Code of Conduct by the Parish Councillor concerned.

The Monitoring Officer advised the Sub-Committee that it should consider whether or not it agreed with the Investigating Officer's report that there had not been a breach of the Code of Conduct, or whether there was a case to answer. If the Sub-Committee agreed with the Investigating Officer that there had been no breach of the Code of Conduct, then that was the final decision in respect of the complaint. However, if the Sub-Committee disagreed with the Investigating Officer that there had been no

breach of the Code of Conduct then the complaint would need to proceed either to a Standards (Determination) Sub-Committee hearing or to the First Tier Tribunal.

Wishing to consider the Investigating Officer's report in private, the Sub-Committee:-

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test:-

Head of Schedule 12A and Brief Description

Exempt Appendix to the Report of the Monitoring Officer – Complaint of Member Misconduct

7C – Deliberations of a Sub-Committee of a Standards Committee

6. EXEMPT APPENDIX TO THE REPORT OF THE MONITORING OFFICER - COMPLAINT OF MEMBER MISCONDUCT

RESOLVED:

1. That the Investigating Officer's finding of no failure to observe the Code of Conduct be accepted for the reasons given in the Investigating Officer's report.
2. That the Monitoring Officer be requested to write to the Chairman of the Parish Council advising him to write to all Members of the Parish Council reminding them of their responsibilities towards others as set out in paragraph 3 of the Code of Conduct, and of the importance of adhering to the Code.

7. DURATION OF MEETING

8.45 a.m. to 9.45 a.m.