

MAIDSTONE BOROUGH COUNCIL

Standards Hearing

MINUTES OF THE MEETING HELD ON WEDNESDAY 20 JUNE 2018

Present: Councillors Daley, Harvey and McLoughlin (Chairman)

1. ELECTION OF CHAIRMAN

RESOLVED: That Councillor McLoughlin be elected as Chairman of the Standards Hearing Panel.

2. APOLOGIES FOR ABSENCE

There were no apologies.

3. AMENDMENT TO THE ORDER OF BUSINESS

The Chairman explained to the Committee that due to the particularly confidential nature of the hearing that the item considering representations as to whether to exclude the press or public from the Monitoring Officer and Subject Member (item 6 on the agenda), and the item to consider whether to exclude the press and public (item 7 on the agenda) were brought forward to protect the confidentiality of those involved in the meeting.

RESOLVED: That items 6 and 7 on the agenda be considered before Item 3. Declarations of Interests.

4. TO RECEIVE REPRESENTATIONS FROM THE MONITORING OFFICER AND/OR SUBJECT MEMBER AS TO WHETHER ANY PART OF THE HEARING SHOULD BE HELD IN PRIVATE AND/OR WHETHER ANY DOCUMENTS (OR PARTS THEREOF) SHOULD BE WITHHELD FROM THE PUBLIC/PRESS

The Monitoring Officer explained that it was necessary for the hearing to take place in private and the documents presented be kept confidential in order to protect the privacy of those involved in the hearing.

5. TO DETERMINE WHETHER THE PUBLIC/PRESS ARE TO BE EXCLUDED FROM ANY PART OF THE MEETING AND/OR WHETHER ANY DOCUMENTS (OR ANY PARTS THEREOF) SHOULD BE WITHHELD FROM THE PUBLIC/PRESS

RESOLVED: That the public and press be excluded from the meeting and the documents marked as not for publication in the agenda be kept confidential under paragraphs 1 and 2 of Schedule 12A the Local Government Act 1972, having considered the public interest test.

6. DECLARATIONS OF INTERESTS

All members of the panel disclosed that they had known the subject member personally through their roles as a members but this would not affect their judgement in this matter.

7. IN THE ABSENCE OF THE SUBJECT MEMBER, TO CONSIDER WHETHER TO ADJOURN OR TO PROCEED WITH THE HEARING

The subject member was present.

8. INTRODUCTION OF THOSE PRESENT

Those present at the Hearing introduced themselves.

9. COMPLAINT OF MISCONDUCT AGAINST A MAIDSTONE BOROUGH COUNCILLOR

The Investigating Officer, presented the findings of her investigation and concluded that in her opinion there had been a breach of the Councillor's Code of Conduct. The specific provisions that the Investigating Officer considered the subject member had breached were:

- Paragraph 3(1)(a) when using the resources of the Authority, Councillors must act in accordance with the Authority's reasonable requirements; and
- Paragraph 3(2)(f) Councillors must not conduct themselves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute.

Witnesses were called to confirm the accuracy of the information that had been presented by the Investigating Officer.

The subject member spoke to confirm the information that had been presented.

The Chairman asked the Council's Independent Person for Standards Investigations for her opinion as to whether the Code of Conduct had been breached having heard the evidence presented. The Independent Person stated that in her opinion the Code of Conduct had been breached on both counts.

The Chairman adjourned the hearing to deliberate whether the subject member had breached the Code of Conduct.

When the Panel re-convened the Chairman confirmed that the Panel had decided that the subject member had breached the Code of Conduct on both counts presented.

The Chairman asked the Monitoring Officer, the Independent Person and the subject member their views on possible sanctions.

The Chairman adjourned the hearing to consider which sanctions, if any, were appropriate to apply in this case.

Once the panel reconvened, the Chairman announced the sanctions.

RESOLVED:

That sanctions be applied to the subject member.

10. DURATION OF MEETING

2.00 pm to 4.04 pm.