

Standards Hearing Sub-Committee

Date: **Tuesday 22 October 2019**
Time: **2pm**
Venue: **Conference Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership:
Cllr Mark Kiddle-Morris – Chairman
Cllr Clare Bowes
Cllr Sarah Butikofer

A g e n d a

1 To receive apologies

2 Members to Declare any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
 - Exercising functions of a public nature.
 - Directed to charitable purposes; or
 - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

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Report by the Chief Legal Officer and Monitoring Officer

4 Exclusion of the Public

The Sub-Committee is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of

Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Sub-Committee will be presented with the conclusions of the public interest test carried out by the report author and is recommended to confirm the exclusion.

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Report by the Chief Legal Officer and Monitoring Officer.

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Report to Standards Committee hearing sub-committee

Report title:	Report on allegations of breach of code of conduct by a County Councillor
Date of meeting:	22 October 2019
Responsible Cabinet Member:	Cllr Andrew Proctor Leader of the Council
Responsible Director:	Fiona McDiarmid Executive Director of Strategy & Governance
Executive Summary This report is to the hearing sub-committee of Standards Committee, to allow it to consider and make a decision on allegations of breach of the code of conduct by a member of Norfolk County Council.	
Recommendations That the sub-committee considers the report and makes a decision on the allegations.	

1. Background and Purpose

- 1.1. The County Council is obliged by the Localism Act 2011 to have procedures in place to consider allegations that a councillor may have breached the code of conduct. The Monitoring Officer has received a number of allegations of breach of the code against one councillor. The complaints are from members of the public. Having investigated the allegations, the Monitoring Officer, as Investigating Officer, has considered that there is potentially evidence of a breach.

2. Proposals

- 2.1. It is proposed that the hearing sub-committee considers the allegations, and the Investigating Officers report, and determines whether there has been a breach of the code, and if so, whether it is appropriate to impose any sanction(s) on the councillor concerned.

It is recommended that the press and public are excluded for the hearing, as the complaints are made by individual members of the public, about an individual councillor. The public interest test has been applied, and it is considered that the public interest test in maintaining the exemption outweighs the public interest in hearing the matter in public. Hearing the matter in exempt session will allow the sub-committee to properly explore the evidence and allegations in a confidential manner. The public interest will be met by the fact that the sub-committee decision will be published.

3. Impact of the Proposal

- 3.1. The proposal will allow the Council to fulfil its responsibilities under the Localism Act, and to resolve the outstanding complaints.

4. Evidence and Reasons for Decision

- 4.1. The decision is based on the Council's recognised procedure for dealing with complaints of breach of the code.

5. Alternative Options

- 5.1. The Investigating Officer did consider whether the complaints could be resolved by alternative options, such as an apology, or by some form of training, but in all the circumstances of the case this was not considered appropriate.

6. Financial Implications

- 6.1. None

7. Resource Implications

- 7.1. None

8. Other Implications

8.1. Legal Implications

The proposal allows the Council to fulfil its obligations under the Localism Act 2011.

8.2. Equality Impact Assessment (EqIA) (this must be included)

Not applicable

8.3. Any other implications

None

9. Recommendation

- 9.1. That the sub-committee considers the report and makes a decision on the allegations.

10. Background Papers

- 10.1. None

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

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