

  
B. Morgan-Timms

Local Standards Hearing Panel



Date: Wednesday 16 March 2011

Time: 10.00 am – 10.30 am

**PRESENT:** Town Councillor L Benifer, Mr B Morgan-Timms and Councillor J A Savage

**In attendance:** Mr D M Dongray (Monitoring Officer / Legal Advisor to the Panel) and Mr P Druce (Panel Support Officer)

There were no apologies for absence.

1. **APPOINTMENT OF CHAIRMAN**

**RESOLVED:** That Mr B Morgan-Timms be appointed Chairman of the meeting.

**Mr B Morgan-Timms in the Chair**

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **QUORUM**

The Chairman confirmed that the meeting was quorate.

**EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That pursuant to Section 100B(2) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of minute 4 because of its reference to matters which contain exempt information as defined as follows:

**Minute No 4 – Outcome of referral of cases IA33 and IA35 for 'other action'**

Information presented to a standards committee, or sub-committee of a standards committee, set up to consider any matter under regulations 13 or 16 to 20 of The Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000 (Paragraph 7c of Part 1g Schedule 12A to the Local Government Act 1972).

Information in any of the categories within Schedule 12A which is not prevented from being exempt by virtue of paragraphs 8 and 9 of the Schedule is exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. It is not considered in the present circumstances that the public interest in disclosure outweighs the authority's need to withhold the information, having regard to the distress that would be caused to the individuals concerned.

**4. OUTCOME OF REFERRAL OF CASES IA33 AND IA35 FOR 'OTHER ACTION'**

The Local Standards Hearing Panel was asked to consider whether it was satisfied with the 'other action' taken by the Monitoring Officer in respect of cases reference IA33 and IA 35.

The report before the Panel noted that on 7 December 2010, the Complaints Initial Assessment Sub Committee (CIAASC) had considered complaint ref: IA 35 and on 5 January 2011, it had considered complaint ref: IA33.

In each case the CIAASC had referred the allegations to the Monitoring Officer for "other action", with a view to arranging training and in each case the member concerned agreed to attend a training session.

Members noted that a referral for other action closes any opportunity for investigation and that any such referral does not involve any finding as to whether or not the subject member had failed to comply with the Code of Conduct as alleged.

The Monitoring Officer had presented the training personally in each case.

The training session in the case of IA 33 had been held on 18 January 2011, and the training session in the case of IA 35 on 17 February 2011.

Both sessions were well received by both the subject members and the Clerk.

The Local Standards Hearing Panel also had before it details of the points covered at these training sessions.

The Panel were satisfied with the outcome of the other action in each case, and

**RESOLVED:** That the Panel was satisfied with the "other action" taken by the Monitoring Officer in cases ref: IA33 and IA35 and that the Monitoring Officer give notice of this in each case to the subject member, the complainant and the Clerk of the Parish Council concerned.