



STROUD DISTRICT COUNCIL

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STANDARDS SUB-COMMITTEE

31 May 2022

3pm – 4.10pm

Council Chamber

Minutes

Membership

Councillor Martin Percy

Councillor Keith Pearson

Phyllida Pyper (Independent Person)

*Absent

Councillor Nigel Studdert-Kennedy

Councillor Muriel Bullock (Parish Council)

Officers in Attendance

Monitoring Officer

Senior Democratic Services & Elections
 Officer

SSC.001 CHAIR OF STANDARDS SUB-COMMITTEE

Councillor Studdert-Kennedy was nominated for the position of Chair of the Standards Sub-Committee.

RESOLVED That Councillor Nigel Studdert-Kennedy be elected Chair of the Standards Sub-Committee for the Civic Year 2022-23.

SSC.002 VICE CHAIR OF STANDARDS SUB-COMMITTEE

Councillor Percy was nominated for the position of Vice Chair of the Standards Sub-Committee.

RESOLVED That Councillor Martin Percy be elected Vice Chair of the Standards Sub-Committee for the Civic Year 2022-23.

SSC.003 APOLOGIES

There were none.

SSC.004 DECLARATIONS OF INTEREST

There were none.

SSC.005 **HEARINGS PROCEDURE**

The Monitoring Officer introduced the procedure to be adopted by the Sub-Committee when it held hearings, he highlighted the proposal for a pre-hearing process on Page 5 and the proposed procedure for the hearing itself.

In response to the Independent Person the Monitoring Officer confirmed that there were three independent persons however she had been the nominee for that particular hearing.

Councillor Pearson advised that the standards hearings had not been held as public meetings in the past and raised concerns whether holding the meeting would be seen to be a sanction before a Member was found guilty. The Monitoring Officer confirmed that the meeting would need to be held in public however exempt sessions could be held where appropriate. Therefore, reports in some cases could be redacted when it was deemed likely that the hearing would be held in private as an exempt session. He also confirmed that if the Sub-Committee was held in public then Members would have the opportunity to clear their name in a public setting.

In response to Councillor Pearson the Monitoring Officer advised that the Investigating Officer was not a position held by the Monitoring Officer and had previously been appointed to an Officer from the Counter Fraud Unit. He also confirmed that the Investigating Officer position was appointed by the Monitoring Officer on an adhoc basis and that this was included in the procedure for complaints.

Members discussed the use of the word 'reasonable' in paragraph 2 and it was confirmed that reasonableness would be a judgement of the Sub-Committee.

Councillor Percy asked whether they could request that the Investigating Officers report included a timeline of events regarding the investigation and asked who set the scope of the report. The Monitoring Officer advised that they wouldn't usually seek to constrain the Investigating Officer and that a timeline would normally be included. Councillor Studdert-Kennedy advised that it would be difficult to restrict the scope as the Investigating Officer would be using the Code of Conduct as their basis for the investigation. Councillor Percy asked that the Monitoring Officer requests that the Investigating Officer includes a timeline within their reports where necessary.

The Monitoring Officer introduced the detailed procedure for conducting hearings and drew Members attention to paragraph 9 and the views of the Independent Person. The Independent Person advised that their preference would be to hear other views in private before providing their view. The Monitoring Officer advised that paragraph 9 was in line with the guidance from the Local Government Association. The Chair echoed comments made by the Independent Person and advised that his preference would be for the panel to discuss in private before the Chair provides the Independent Persons opinion in summation. Councillor Percy, Pearson and Bullock also echoed the views of the Chair and Independent Person. The Monitoring Officer suggested that the first sentence of Paragraph 9 should be removed to the end of Paragraph 11 and that the last sentence of Paragraph 12 should be moved to the end of Paragraph 15 and amended accordingly. The Independent person suggested that 'to which the independent persons will have input' is added to the end of Paragraph 13. It was agreed that these amendments would be made.

On being put to the Vote, the Motion including the amendments above was carried unanimously.

- RESOLVED**
- a. **To adopt the Hearings Procedures set out in Appendix A and as amended; and**
 - b. **To authorise the Monitoring Officer, in consultation with the Chair of the Standards Sub-Committee, to make such amendments to the Hearings Procedures as may be necessary to deal with any particular circumstances arising.**

The meeting closed at 4.10pm

Chair