

Minutes of a meeting of the **Standards (Hearing) Sub-Committee** of the Purbeck District Council held in the Council Chamber, Westport House, Wareham on 28 January 2019 at 2pm.

Present:-

District Councillors Malcolm Barnes and David Budd  
Parish Councillor Ashley Pellegrini

Others in attendance:  
Mr D Hayward (Wilkin Chapman LLP)

Officers in attendance for the meeting: David Fairbairn, Monitoring Officer and Sonia Stickley, Democratic and Electoral Services Officer.

(Note: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Standards (Hearing) Sub-Committee).

1.18/19 **Election of Chairman for the meeting**

Resolved that Councillor Barnes be elected Chairman for the meeting.

2.18/19 **Apologies**

There were no apologies for absence.

3.18/19 **Urgent items**

The Chairman reported there were no urgent items.

4.18/19 **Public participation times**

No members of the public attended for this item.

5.18/19 **Minutes**

Resolved that the minutes of the meeting held on 19 December 2016 be taken as read, confirmed and signed by the Chairman.

6.18/19 **Declarations of Interest by Members**

There were no declarations of pecuniary interest for the meeting.

7.18/19 **Exclusion of Public and Press**

**Resolved** that, under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act and the public interest in

withholding the information outweighed the public interest in disclosing the information to the public.

## 8.18/19 **Councillors X**

The Sub-Committee was informed that on 23 July 2018 the Standards (Assessment) Sub-Committee had considered a grievance regarding the alleged conduct of two Parish Councillors. The Sub-Committee agreed that the complaint should be investigated and the Monitoring Officer subsequently instructed Wilkin Chapman LLP, a firm of solicitors with particular experience of investigating complaints about the conduct of councillors.

Members considered whether the reports prepared by Wilkin Chapman LLP together with the subsequent exchanges of correspondence with the complainant should be considered in public. It was noted that the hearing would normally be held in public, in order to promote public confidence and ensure fairness and transparency. In the present case, the complainant was an employee of the Parish Council and Councillors whose conduct was complained about were effectively her employer. Given an employer's duty of confidence to their employee, together with the fact that there are concerns from both the complainant and the Councillors about statements made about them contained in the evidence disclosed as part of the report which they say are false and damaging to their reputations, suggested that the press and members of the public should be excluded from all or part of the hearing.

The meeting adjourned and on reconvening it was

**Resolved** that members of the press and public continued to be excluded because of the likely disclosure of information relating to an individual or is likely to reveal the identity of an individual and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Mr Hayward presented his reports, outlining his findings and conclusions of the investigation into a grievance regarding the alleged conduct of the two Parish Councillors. He concluded that neither Councillor had breached the Parish Council's Code of Conduct.

The meeting adjourned at 2.58pm and reconvened at 3.14pm. On reconvening, it was:

**Resolved** that:

- (1) there being no findings of fact material to the alleged breaches of the Code of Conduct being disputed by either Councillor, the findings and conclusions of both reports be accepted; and
- (2) Code of Conduct training for all involved be carried out at some point in the future.

The meeting ended at 3.18pm.

Chairman