



Epping Forest District Council

HEARINGS SUB-COMMITTEE - EPPING FOREST STANDARDS COMMITTEE Tuesday, 25th January, 2011

Place: Committee Room 2, Civic Offices, High Street, Epping

Time: 7.30 pm

Local Assessment Officer: Graham Lunnun, Office of the Chief Executive
Tel: 01992 564244 Email: glunnun@eppingforestdc.gov.uk

Members:

R Crone (Independent Member)(Chairman), Councillor Mrs A Grigg (District Council Representative) and J Guth (Independent Member)

1. QUORUM

The quorum for the Sub-Committee is three members. The meeting will need to be adjourned in the absence of any of the three members appointed to the Sub-Committee.

2. WELCOME AND INTRODUCTIONS

The Chairman will welcome those present to the meeting, will introduce the members of the Sub-Committee and the officers and explain their roles at the meeting. The Chairman will invite the parties to the hearing, if present, to introduce themselves.

3. DECLARATIONS OF INTEREST

(Monitoring Officer) To declare interests in any item on the agenda.

4. MINUTES (Pages 5 - 20)

To confirm the minutes of the Sub-Committee meeting held on 26 July 2010 (attached).

5. EXCLUSION OF PUBLIC AND PRESS

(a) To consider whether under Section 100(A)(4) of the Local Government Act 1972, the press and public should be excluded from the meeting on grounds that it will involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act.

(b) To consider whether the press and public should be excluded from the meeting during the consideration of matters which are confidential under Section 100(A)(2) of the Local Government Act 1972.

Both the Investigating Officer and the Member against whom the allegation has been made have stated that they do not want any part of the proceedings to be held in private. In coming to its decision the Sub-Committee will consider whether maintaining an exemption outweighs the public interest in disclosing the information. The Sub-Committee will also take account of the ability of the Member against whom the allegation has been made to prohibit normal publication of a notice in the press and on the Council's website in the event of the Sub-Committee finding no failure to comply with the Code of Conduct.

If the Sub-Committee determines that the press and public are not to be excluded from the meeting, copies of the relevant documents will be made available to any representative of the press and members of the public who are present.

6. LOCAL ASSESSMENT CASE 1/2010 (Pages 21 - 24)

Recommendations:

(1) To consider an allegation about the conduct of District Councillor J Collier as follows:

Findings of Fact

- (a) to receive the Investigating Officer's report and the enclosures referred to therein;**
- (b) to receive submissions from the Investigating Officer on matters of fact;**
- (c) Councillor Collier, if present, and members of the Sub-Committee to ask questions of the Investigating Officer, directed through the Chairman, on matters of fact;**
- (d) to receive submissions from Councillor Collier, if present, on matters of fact;**
- (e) the Investigating Officer and members of the Sub-Committee to ask questions of Councillor Collier, if present directed through the Chairman, on matters of fact;**
- (f) to consider, if necessary in private session, the facts of the case and make a decision on the facts of the case;**

Breach of the Code of Conduct

- (g) to receive submissions from the Investigating Officer on whether there has been a breach of the Code of Conduct;**

- (h) Councillor Collier, if present, and members of the Sub-Committee to ask questions of the Investigating Officer, directed through the Chairman, on whether there has been a breach of the Code of Conduct;**
- (i) to receive submissions from Councillor Collier, if present, on whether there has been a breach of the Code of Conduct;**
- (j) the Investigating Officer and members of the Sub-Committee to ask questions of Councillor Collier, if present, directed through the Chairman, on whether there has been a breach of the Code of Conduct;**
- (k) to consider, in private session, whether the facts represent a breach of the Code of Conduct;**

Sanctions

- (l) if the Sub-Committee determines that there has been a breach of the Code of Conduct, to receive further submissions from the Investigating Officer and Councillor Collier, if present, on whether a penalty should be imposed;**
 - (m) to consider, in private session, whether no action needs to be taken or whether to impose a penalty and, if so, what that penalty should be;**
- (2) To consider, in private session, whether to make any recommendations to the Council with a view to promoting high standards of conduct among councillors.**

(Monitoring Officer) The Sub-Committee is to determine a complaint made by Mr R Palmer, Director of Finance and ICT of Epping Forest District Council that Councillor J Collier of Epping Forest District Council may have breached the Code of Conduct.

The pre-hearing summary is attached. The report of the Investigating Officer has been sent separately to members of the Sub-Committee and the parties to the hearing. These documents will be made available to others at the hearing if the Sub-Committee decides to hold the proceedings in public.