

APPEAL SUB (STANDARDS) COMMITTEE

Wednesday, 25 July 2018

Minutes of the meeting of the Appeal Sub (Standards) Committee held at the Guildhall EC2 at 3.35 pm

Present

Members:

Michael Hudson

Jeremy Simons

Dan Large (Co-opted Member)

Officers:

Lorraine Brook

- Town Clerk's Department

Also Present: Jonathan Swift QC (legal adviser to the Sub-Committee)

[Those present agreed to delay the start time of the meeting for five minutes as one Member was not present at 3.30pm.]

[With the Sub-Committee's consent, the order of business was amended as below to allow for declarations of interest to be made by those present.]

1. ELECTION OF A CHAIRMAN

Those present considered the election of a Chairman.

RESOLVED:- That Dan Large (Co-opted Member) be elected as the Chairman of the Appeal Sub (Standards) Committee.

2. DECLARATIONS OF INTEREST IN RESPECT OF ITEMS ON THE AGENDA

Those present confirmed that as Members of the Standards Committee they had not, to date, had any involvement with the complaint at any stage of the complaints process.

3. QUESTIONS RELATING TO THE WORK OF THE SUB COMMITTEE

There were none.

4. ANY OTHER PUBLIC BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was none.

5. EXCLUSION OF THE PUBLIC

RESOLVED:- That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the remaining items of business on

the grounds that they involve the likely disclosure of exempt information as defined in Part 1 (paragraphs 1 and 2) of Schedule 12A of the Local Government Act.

6. APPEAL PROCEDURE

The Sub-Committee considered a report of the Town Clerk relative to the procedure that would be followed by the Sub-Committee for an appeal by a Common Councilman against decisions of the Hearing Sub (Standards) Committee that there had been a breach of the Members' Code of Conduct and sanctions should be applied.

It was noted that as the complaint against the elected member had been considered under the City Corporation's former complaints procedure, rather than the new procedure which was implemented on 19 July 2018, the appeal process would also be managed based on the old procedure. Consequently, as there was no established procedure for the conduct of an appeal under the old complaints process, Members were asked to agree the procedure for hearing the appeal.

RESOLVED: - That –

- (i) the procedure for hearing the appeal by the Common Councilman by this Sub-Committee be approved and circulated to Members and all other relevant parties once drafted by Jonathan Swift QC (the Sub-Committee's legal adviser); and
- (ii) the appeal hearing be scheduled to take place on 27 or 28 September 2018 subject to the availability of an Independent Person and room availability.

7. ANY OTHER NON-PUBLIC BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was none.

The meeting closed at 4.50 pm

Chairman

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