

CONFIDENTIAL

HEARING SUB (STANDARDS) COMMITTEE PROPOSED HEARING PROCEDURE

The Sub-Committee will open in public session. It is a matter for the sub-committee to determine whether it moves into confidential session with the press and public excluded, in accordance with the provisions of Schedule 12A of the Local Government Act 1972

1. The Chairman introduces the members of the Sub-Committee and others present, and explains the purpose of the hearing, the procedure to be followed and the nature of the meeting
2. The Complainant and Respondent may be accompanied if they wish, but will be expected to give evidence and answer any question put by members of the sub-committee personally,
3. The Complainant and Respondent (and anyone accompanying them) are invited to be present throughout the hearing; other witnesses will enter to give evidence and then withdraw.
4. The Monitoring Officer presents his report (n.b. the Monitoring Officer is not acting as 'prosecutor' or 'defence').
5. The Complainant and then the Respondent will be invited to make an opening statement which should be no more than ten minutes long.
6. The Chairman calls the witnesses in the following order:
 - Complainant
 - Nicholas Gill
 - Trevor Nelson
 - Stephen Ivers
 - John Black

- Respondent

The statements will be taken as read rather than read out. Witnesses will be asked to confirm that their statements are true.

7. Immediately after giving their evidence-in chief each witness will be invited to answer questions (if any) from the Sub-Committee. Any questions that the complainant or respondent has, or the Monitoring Officer may wish to ask in clarification, should be passed to and put by the Chairman.
8. There will then be an opportunity for the Complainant and the Respondent (in that order) to make any short closing comments if they so wish. Again this should be no more than up to 10 minutes each.
9. The Monitoring Officer, the Complainant and the Respondent then withdraw to allow the Sub-Committee to consider the evidence and representations.
10. The Monitoring Officer, the Complainant and the Respondent are then invited to return and the Sub-Committee announces its decision as to whether there has been a breach of the Code of Conduct.
11. If the Sub-Committee considers that there has been a breach of the Code it may invite any representations on the appropriate sanction (censure of the member; withdrawal of Corporation hospitality for an appropriate period; or removal of the member from a particular committee or committees). The Sub-Committee may ask the parties to withdraw again to allow it to consider the appropriate sanction, then invite them to return to hear the Sub-Committee's decision as to any appropriate sanction.
12. The decision will be confirmed to the parties in writing within five working days and published. Full reasons may be published at the discretion of the Sub-Committee.
13. This procedure may be varied by the Sub-Committee as it considers appropriate in order to dispose of the matter in a fair and efficient manner.