

HEARING SUB (STANDARDS) COMMITTEE

Friday, 29 January 2016

Minutes of the meeting of the Hearing Sub (Standards) Committee held at the Guildhall EC2 at 10.30 am

Present

Members:

Nigel Challis
Mark Greenburgh
Oliver Lodge

Edward Lord

Also Present:

Anju Sanehi (Independent Person)

Officers:

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| Lorraine Brook | - Town Clerk's Department |
| Deborah Cluett | - Comptroller and City Solicitor's Department |
| Michael Cogher | - Comptroller and City Solicitor |
| Gemma Stokley | - Town Clerk's Department |
| Edward Wood | - Comptroller and City Solicitor's Department |

1. REPORT OF THE MONITORING OFFICER

The Sub-Committee considered a report of the Monitoring Officer presenting the findings of an investigation into a complaint authorised by the Assessment Sub-Committee on 16th December 2015.

The Chairman highlighted that Mr Sleigh had now been replaced by Mr Lodge on the Sub-Committee. He explained that Mr Sleigh was currently serving as Deputy Chairman of the City's Property Investment Board to which all of the witnesses in this case reported. He therefore felt that it was inappropriate for him to continue to consider this complaint.

The Monitoring Officer introduced his report and provided the Sub-Committee with a brief overview of his investigations. He outlined the difficult interplay of issues in this case given that the complainant had made a related 'whistle-blowing' complaint and was currently suspended from work as the subject of a staff disciplinary case. He emphasised that this Sub-Committee should be very clear on its boundaries and the fact that their role was to decide whether or not there was any misconduct on the side of Deputy Chapman only.

The Monitoring Officer commented on the disparities between the style of the complainant's statement and the other statements and informed the Sub-

Committee that the Complainant had been offered assistance to refine his statement but had refused this assistance.

After presenting his report, the Monitoring Officer and Mr Edward Wood (Comptroller and City Solicitor's Department) withdrew from the meeting.

The Assistant City Solicitor commented that Member influence was a very tricky issue but that it was for this Sub-Committee to 'set the bar' here in terms of what they felt was proper and appropriate. The Sub-Committee were aware that any decisions taken on this matter were likely to set a precedent on this matter.

In terms of Policy, the Chairman highlighted that, should this matter proceed to a full hearing, this would be a first for the Committee and that consideration would therefore have to be given to the form that such a hearing would take.

Members went on to outline their concerns about a number of apparent inconsistencies in the statements presented to them. They also noted that there seemed to be a lack of information as to the process that the complainant should have been following regarding the events held at Leadenhall Market. The emails provided seemed to 'dip in and out' of the matter without actually providing a narrative as to how an event was initially refused but then proceeded.

Members also commented on the use of personal email addresses and suggested that this was an area that the Standards Committee might like to provide advice to all Members on going forward.

The Independent Person present agreed with all of the points raised and stated that it seemed extraordinary that events such as those referred to within the complaint could be signed off and agreed at the last minute. She also commented that there were a number of inconsistencies within the statements as to what actually happened on the morning of the Monte Carlo event.

In view of the inconsistencies in the statements provided and the apparent gaps in the information provided, the Sub Committee were unanimously of the view that this matter should now proceed to a full hearing. The Independent Person present also agreed with this approach.

Having unanimously decided that a full hearing should now proceed, the Sub-Committee went on to discuss the procedure that should be adopted for the hearing. A draft procedure was tabled by the Assistant Comptroller and City Solicitor.

Members suggested that further information would be helpful to provide some additional context to the complaint at the full hearing, namely the official procedure which ought to have be followed by Officers in terms of managing/processing events at Leadenhall Market, a scale of fees for such events and a timeline of events referred to within the complaint. It was also

agreed that a 'who's who' of relevant staff within the City Surveyor's Department and their reporting lines would be useful.

It was felt that both the complainant and respondent should be permitted to attend the full hearing with relevant witnesses called to attend according to a running order to be determined. It was also agreed that the complainant and respondent should be entitled to be accompanied to the hearing by a friend or colleague if they so wish.

The Sub Committee questioned the steps taken to secure the assistance of the Barnet Waddingham witness who had not responded. The Chairman requested that further efforts be made on this front with any response provided to be circulated to the Sub-Committee ahead of the full hearing.

The Sub Committee were of the view that cross examination should not be permitted at the hearing and that it would not be necessary for the Monitoring Officer to sum up or 'run' the hearing in any way.

Members were of the view that the Hearing should be held in private session but that a view should be taken at the time as to whether any decision reached should be made public.

RESOLVED – That the matter be referred to a full hearing to be held on Tuesday, 23 February 2016.

2. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There were no additional, urgent items of business for consideration.

The meeting closed at 11.30 am

Chairman

Contact Officer: Gemma Stokley
gemma.stokley@cityoflondon.gov.uk
020 7332 1407