



Minutes

Name of meeting	CONSIDERATION AND HEARING SUB COMMITTEE
Date and time	THURSDAY, 15 JANUARY 2009 COMMENCING AT 10.00 AM
Venue	DIRECTORS MEETING ROOM, 3RD FLOOR, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Anthony Brindle (Independent Member) Muriel Miller (Isle of Wight Councillor) Mark Southwell (Independent Member)
Officers Present	Davina Fiore, Chris Mathews, Julie Martin

1. **Election of Chairman**

RESOLVED :

THAT Mr Mark Southwell be elected Chairman for the day

2. **Declarations of Interest**

There were no declarations at this time.

3. **Exclusion of Public and Press**

RESOLVED:

THAT, under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, namely Minute number 4 on the grounds that there was likely to be disclosure of exempt information as defined in paragraph 7C of Schedule 12A of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4. **Confidential Report of the Monitoring Officer**

ESC.10.08

A complaint had been received from Councillor Lora Peacey-Wilcox concerning the alleged conduct of Councillor Roger Mazillius, a member of the Isle of Wight Council. A general summary of the complaint was as follows:

At a civic reception Councillor Peacey-Wilcox asked another Councillor if she was able to see past her as she was standing in front of her. It was alleged that Councillor Roger Mazillius replied "we can all see through you Lora, you are so transparent". This was overheard by others in the vicinity and Councillor Peacey-Wilcox found this offensive and humiliating and believed it was a direct attempt to belittle her in public.

The complainant believed that Councillor Roger Mazillius may have breached the Isle of Wight Council's Code of Conduct on the following grounds:

Paragraph 3 (1) - You must treat others with respect.

Paragraph 3 (2)(b) – You must not bully any person.

The Assessment Sub Committee decided to refer the matter to the Monitoring Officer for investigation.

Members noted that the investigation report stated that it was not felt there was an intention to bully or intimidate. It was noted that there did not need to be an intention to bully or intimidate for members to decide that there was bullying or intimidation.

RESOLVED :

- (i) THAT Councillor Roger Mazillius had not failed to comply with the Code of Conduct;
- (ii) THAT as the report did not contain exempt information that the report of the Investigating Officer be made public.

5. Confirmation of the Decision Notice of this Meeting

RESOLVED :

THAT the Chairman be authorised to sign as a true record a copy of the Decision Notice.

CHAIRMAN