



Minutes

Name of meeting	HEARING SUB COMMITTEE
Date and time	MONDAY, 19 MARCH 2012 COMMENCING AT 2.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Heather Humby (Isle of Wight Councillor) Liz Mackenzie (Independent Member) Ron Mew (Town and Parish Councillor)
Officers Present	Ben Gard, Chris Mathews

47. **Election of Chairman**

RESOLVED :

THAT Liz Mackenzie be elected chairman for the day.

48. **Declarations of Interest**

There were no declarations received at this stage.

49. **Exclusion of Public and Press**

To consider passing a resolution 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 50, on the grounds that there is likely to be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 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.

RESOLVED :

THAT the public and press be excluded/not be excluded.

50. **Confidential Reports of the Monitoring Officer**

The Chairman welcomed those present and introduced Members of the Committee. She confirmed that all members had read the papers and outlined the procedure that was to be followed.

To consider the outcome of an investigation into Councillor Margaret Webster of East Cowes Town Council, ESC.90.10

Following representations from the Investigating Officer, members of the Sub Committee and the Councillor asked questions.

Councillor Webster then outlined her case, including calling Councillor Rann as a witness. Following which members of the Sub Committee and the investigating officer asked questions of both Councillor Webster and Councillor Rann.

All parties withdrew, whilst the Sub Committee adjourned to consider the Findings of Fact and whether there had been a breach of the Code of Conduct.

Upon reconvening it was

RESOLVED :

- (i) THAT Councillor Webster had not breached paragraph 12 of the Code of Conduct for Members at a meeting on 11 June 2010.
- (ii) THAT Councillor Webster had not breached paragraph 9 of the Code of Conduct for Members at a meeting on 17 June 2010.
- (iii) THAT Councillor Webster breached paragraph 12 of the Code of Conduct for Members of East Cowes Town Council after declaring a personal and prejudicial interest at a meeting on the 17 June 2010, she then remained for the whole meeting rather than leaving after the public participation phase as required by the Code.
- (iv) THAT in all the circumstances, no sanction was necessary.
- (v) THAT the following recommendations be made to East Cowes Town Council:
 - (1) All procedures within the Town Council for calling, conducting and recording meetings need to be reviewed to ensure that they:
 - (a) Comply with the appropriate legislative requirements;
 - (b) Are clear to all attending;
 - (c) That there should be a standard agenda item at each meeting to enable members to declare interests in items on the agenda and the nature of those interests;
 - (d) That any interests stated at the meetings are recorded in the minutes of the meeting;
 - (e) That public participation is welcomed but that it is made clear for all agenda items what part the public can participate in and when the Town Council itself is considering the matter.
 - (2) Seeks assistance from appropriate experts (such as the Isle of Wight Association of Local Councils, or the Isle of Wight Branch of the Society of Local Council Clerks) to help with this review.

51. **Confirmation of the Decision Notice and Minutes of this meeting**

RESOLVED:

THAT the Chairman sign as a true record a copy of the Decision Notice and Minutes in relation to ESC.90.10, Councillor Margaret Webster.

CHAIRMAN