



Minutes

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| Name of meeting | HEARING SUB COMMITTEE |
| Date and time | WEDNESDAY, 28 SEPTEMBER 2011 COMMENCING AT 10.30 AM |
| Venue | COMMITTEE ROOM TWO, COUNTY HALL, NEWPORT, ISLE OF WIGHT |
| Present | Anthony Brindle (Independent Member) John Howe (Isle of Wight Councillor) Ray Smith (Independent Member) |
| Officers Present | Susan Hayward, Helen Miles, Justin Thorne |

42. **Election of Chairman**

RESOLVED :

THAT Anthony Brindle be elected chairman for the day.

43. **Declarations of Interest**

There were no declarations received at this stage.

44. **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 45, 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 not be excluded.

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

The Chairman welcomed those present and introduced Members of the Committee. He 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 Roger Mazillius of Isle of Wight Council, ESC.100.10

Following representations from the Investigating Officer, and hearing evidence from the complainant, members of the Sub Committee, the Councillor and his representative asked questions.

Councillor Mazillius' representative then outlined his case, members of the Sub Committee and the investigating officer asked questions of the representative and Cllr Mazillius.

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 Mazillius had breached Paragraph 3.1 of the Code of Conduct for Members, in that he had failed to treat the complainant with respect.
- (ii) THAT Councillor Mazillius had not breached Paragraph 5 of the Code of Conduct for Members, in that he had not brought his office into disrepute.
- (iii) THAT the appropriate sanction in all the circumstances was that Councillor Mazillius submit a written apology to Mr Turner in a form to be agreed by the Ethical Standards Hearing Sub-Committee within 14 days.

46. 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.100.10, Councillor Roger Mazillius.

CHAIRMAN