



Minutes

Name of meeting	HEARING SUB COMMITTEE
Date and time	TUESDAY, 5 OCTOBER 2010 COMMENCING AT 10.00AM
Venue	COMMITTEE ROOM TWO, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Mr George Hibberd (Independent member) Cllrs Heather Humby (Isle of Wight Councillor) Mr Denis Russell (Town/Parish Councillor)
Officers Present	Sonia Cooper, Chris Mathews

12. **Election of Chairman**

RESOLVED :

THAT Mr George Hibberd be elected Chairman for the day.

13. **Declarations of Interest**

There were no declarations received at this stage.

14. **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 15, 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.

15. **Reports of the Director of Corporate Services**

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 Graham Perks of Ventnor Town Council, ESC.40.09

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

Former Councillor Perks presented his case and called upon Mrs Cawley as a witness. Members of the Sub Committee and the Investigating Officer asked questions of both Mr Perks and Mrs Cawley.

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 Mr Perks had a personal interest as defined in paragraph 8 of the Code of Conduct as the existence of the proposed Jazz Festival on the site adjoining his concession would affect his business either negatively or positively.
- (ii) THAT as no personal interest was declared Mr Perks did fail to follow Paragraph 9 of the Code of Conduct.
- (iii) Mr Perks failed to follow paragraph 12 of the Code of Conduct in not declaring the interest and leaving the room, nor taking any part therein, while the matter was being considered.
- (iv) THAT the appropriate sanction in all the circumstances was Censure.

16. Confirmation of the Decision Notice and Minutes

RESOLVED :

THAT the Chairman sign as a true record a copy of the Decision Notice and Minutes.

CHAIRMAN