

**STANDARDS & ETHICS COMMITTEE
SUB-COMMITTEE:**

12th January 2022

REPORT OF THE DEPUTY MONITORING OFFICER

HEARING UNDER THE LOCAL RESOLUTION PROTOCOL

The appendices to this report have been redacted to remove personal information which is exempt from publication under paragraphs 12 and 13 of Schedule 12A to the Local Government Act 1972

Reason for this Report

1. To enable the Hearings Panel (Standards and Ethics Sub-Committee) to determine a complaint referred to it under the Local Resolution Protocol.

Background

2. At its meeting on 15th December 2021, the Standards and Ethics Sub-Committee (Hearings Panel) received a report on a complaint referred to the Hearings Panel under the Local Resolution Protocol (**Appendix 1**), and made the following preliminary determinations:
 - (i) That the Complainant shall be permitted to submit evidence in relation to the Respondent's behaviour at the Council meeting in March 2018 (referred to as Complaint Three); and
 - (ii) That it was not necessary to call Cllr Boyle or Cllr Sandrey as witnesses to give evidence at the hearing.
3. Both parties have been duly notified of the preliminary determinations made by the Hearings Panel.

Issues

4. Full details of the complaints referred to the Hearings Panel, the response to the complaints, all evidence submitted and arrangements for the hearing are set out in the report of the Deputy Monitoring Officer attached as **Appendix 1**.

5. Under the Local Resolution Protocol adopted by the Council (**Appendix B**), the Hearings Panel is required to hold a hearing to determine the complaints, in accordance with the Local Resolution Hearings Procedure (**Appendix C**).

Legal Implications

6. Relevant legal implications are set out in the report of the Deputy Monitoring Officer attached as **Appendix 1**.

Financial Implications

7. There are no direct financial implications arising from this report.

RECOMMENDATION

The Committee is recommended to:

- (1) Hold a hearing in accordance with the Local Resolution Hearings Procedure to determine the complaint, and any recommendation or sanction to be issued, if appropriate;
- (2) Announce the Panel's decision; and
- (3) Authorise the Deputy Monitoring Officer, in consultation with the Chair, to finalise the Hearings Panel's written decision and publish it in accordance with the Hearings Procedure.

James Williams
Operational Manager, Litigation & Deputy Monitoring Officer
5th January 2022

APPENDICES

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| 1 | - | Deputy Monitoring Officer's report, 'Hearing Under the Local Resolution Protocol – Preliminary Matters', 15 th December 2021 |
| A | - | Members Code of Conduct |
| B | - | Local Resolution Protocol |
| C | - | Local Resolution Hearings Procedure |
| D | - | Monitoring Officer's report on informal resolution attempts |
| E | - | Email correspondence between Cllr Molik and Cllr Michael regarding Green Waste Collections (<i>redacted to remove third party personal data</i>) |
| F | - | Clip from the webcast recording of the March 2018 Council meeting |
| G | - | Cllr Michael's Response to the Complaints |
| G1 | - | Cllr Michael's Supplementary Response to the Complaints |
| H1-3 | - | Emails between Assistant Director, Waste Services and Cllr Molik (<i>redacted to remove third party personal data</i>) |