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## STANDARDS HEARING SUB-COMMITTEE

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**MINUTES** of the Virtual Meeting held via Skype on Thursday, 26 November 2020 from 1.30pm - 2.08pm.

**PRESENT:** Councillors Ken Ingleton, Elliott Jayes and Hannah Perkin (Chairman).

**OFFICERS PRESENT:** David Clifford, Robin Harris and Jo Millard.

**ALSO IN ATTENDANCE:** Councillors Roger Clark, Simon Clark, Mike Baldock Steve Davey, Tim Gibson, Nicholas Hampshire, Alan Horton, Carole Jackson, Denise Knights, Ken Rowles, Tim Valentine and Tony Winckless.

Mrs Patricia Richards and Mr Christopher Webb (Independent persons).

### 277 INTRODUCTION

The Chairman explained that the Standards Hearing Sub-Committee would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392.

In welcoming Members, independent persons Mrs Patricia Richards and Mr Christopher Webb, and members of the public, the Chairman explained which Swale Borough Council (SBC) officers were in attendance.

### 278 DECLARATIONS OF INTEREST

No interests were declared.

### 279 EXCLUSION OF THE PRESS AND PUBLIC

***Resolved:***

***To not pass the resolution to exclude Press and Public and to hold the meeting in public session.***

### 280 CONSIDERATION OF COMPLAINT NO. 14/20

The Chairman outlined the procedure the panel would follow in determining the matter. She referred Members to Part 4.6 of the Council's Constitution.

The Monitoring Officer presented the pre-hearing summary report. Councillor Alan Horton confirmed that he agreed with the details contained within the report.

The Monitoring Officer introduced the report which considered allegations that Councillor Horton had breached the Members' Code of Conduct by making unsubstantiated allegations of probable criminal misconduct against SBC Cabinet Members during a Full Council meeting on 17 June 2020. He summarised the impact the allegations had on some complainants including those that were angry

and distressed and others who had reported the allegations made to their professional or charitable bodies. The Monitoring Officer explained that Councillor Horton gave an apology for the allegations made, at the Annual Council meeting in July 2020.

Referring to paragraph 5.1 on page 9 of the report, the Monitoring Officer explained that SBC Members' code of conduct contained 11 paragraphs delineating the behaviour which all Councillors were expected to model and he drew particular attention to paragraphs 9 and 10 of the code, which he considered were breached by Councillor Horton.

In response, Councillor Horton said he agreed with the report, including the findings that he had breached paragraphs 9 and 10 of the Members' code of conduct.

A Committee Member said that Councillor Horton had apologised and withdrew his comments during the Full Council meeting on 17 June 2020 and this should be included in the transcript. The Monitoring Officer referred to the transcript on page 15 of the report which included the apology. Councillor Horton added that he accepted the apology he made at the Full Council meeting on 17 June 2020 was inadequate and it was appropriate to make a full apology at the Annual Council meeting held on 15 July 2020.

The independent persons made no comment.

The Sub-Committee, Deputy Monitoring Officer and Senior Democratic Services Officer left the meeting at 13.42 hours and returned at 13.45 hours to advise on the Sub-Committee's decision.

The Sub-Committee determined that there had been a breach of paragraphs 9 and 10 of the SBC Members' Code of Conduct.

The Monitoring Officer drew attention that, if a public apology was considered as a sanction, Councillor Horton's full public apology had already taken place at Annual Council on 15 July 2020.

Mrs Richards agreed with the Sub-Committee's decision and noted the comments by the Council Leader that the allegation was a one-off made in the heat of the moment and was not typical of Councillor Horton.

Mr Webb agreed with the Sub-Committee's decision and commented that Councillor Horton had retracted his comment and already made a public apology.

The Sub-Committee, Deputy Monitoring Officer and Senior Democratic Services Officer left the meeting at 13.52 hours and returned at 14.06 hours to advise of the Sub-Committee's decision on any sanctions that were to be implemented.

In concluding the meeting, the Chairman advised that a written decision would be published on the Council's website.

**Resolved:**

- (1) That the Sub-Committee found that there was a breach of Paragraphs 9 and 10 of the Members' Code of Conduct.**
- (2) That Councillor Horton should apologise for the breach, however, given that Councillor Horton has already made a full public apology to Full Council this sanction had already been met.**
- (3) That the findings of this Standards Sub-Committee be reported to Full Council.**
- (4) That the Sub-Committee recommends to Full Council that the Monitoring Officer writes to all SBC Members reminding them of their obligations under the Code of Conduct.**

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel