

Minutes of the **Employment Appeals and Ethics Sub-Committee**
of the **Test Valley Borough Council**
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover
on 6 December 2021 at 10.00 am

Attendance:

Councillor A Dowden
Councillor K Hamilton

Councillor K North
Councillor P North

Also in attendance:

Councillor Baverstock
Councillor Ecclestone
Mr Lewin, Investigator
Mrs Hughes, Independent Person
Karen Dunn, Head of Legal and Democratic Services
Tracey Wilson, Corporate Legal Services Manager
Emma Horbury, Democratic Services Manager
Sally Prior, Democratic Services Officer

1

Appointment of Chairman

Resolved:

That Councillor Hamilton be appointed Chairman for the duration of the meeting.

2

Apologies

Apologies for absence were received from Councillor Baverstock in her capacity as a member of the Employment Appeals and Ethics Sub-Committee.

3

Declarations of Interest

There were no declarations of interest.

Councillor Ecclestone raised a point of order which, on advice of the Head of Legal and Democratic Services, was unsubstantiated. Councillor Ecclestone then left the hearing which proceeded in his absence.

4

Exclusion of the Public

Resolved:

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Parts 1 and 2 of Schedule 12A of the Act, as amended. The public interest in maintaining the exemption outweighs the Public interest in disclosing the information.

5

Consideration of an allegation of breach of the Code of Conduct for Elected Members

Consideration was given to a report of the Monitoring Officer in respect of a complaint received regarding a Borough Councillor. The Monitoring Officer requested the Sub-Committee to consider whether there had been any potential breach of the Code of Conduct and to determine what further action, if any, should be taken.

Having had regard to the Investigator's report and its findings, the Sub-Committee considered that there had been a breach of Test Valley Borough Council's Code of Conduct.

A written report of the hearing and decision, with reasons, will be prepared within 5 working days.

Resolved:

1. **Having heard from the participants from today's hearing and in the absence of Cllr Ecclestone, who left the meeting at the start of the proceedings, the sub-Committee unanimously agreed with the findings of the independent investigator's report and finds that Cllr Ecclestone breached the Test Valley Borough Code of Conduct:**
 - a) **as he, without justification, disclosed information which he ought reasonably to have been aware was confidential.**
2. **With regard to sanction, the sub-committee:**
 - a) **note that their findings will be made public by way of publication of this minute and subsequent report of the hearing and decision on the Council's website; and**
 - b) **proposes that, additionally, the findings are published in the decision section of the council's website.**

- 3. with regard to recommendations the sub-committee make the following recommendations:**
 - a) that Cllr Ecclestone undergoes additional training on the code of conduct;**
 - b) that Cllr Ecclestone make a full apology to all Borough Councillors.**
- 4. A written report of the hearing and decision with reasons will be prepared within 5 working days.**

(The meeting terminated at 11.13 am)