

MINUTES  
OF A MEETING OF THE  
**STANDARDS HEARINGS SUB-COMMITTEE**

held on 29 September 2021

Present:

Mrs C Storey (Chairman)  
Cllr D Roberts (Vice-Chair)

Cllr I Johnson      Cllr C Rana

Absent: Councillors N Martin

**1. MINUTES**

RESOLVED

That the minutes of the Sub-Committee held on 13 October 2020 be approved and signed as a true and correct record.

**2. EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

That the press and public be excluded from the meeting during consideration of items 3 to 5 in view of the nature of the proceedings that, if members of the press and public were present during these items, there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A, to the Local Government Act 1972.

Paragraph 1 – information relating to any individual.

**3. ELECTION OF VICE-CHAIRMAN**

Councillor Roberts was elected Vice-Chairman of the Sub-Committee for the meeting.

**4. DECLARATIONS OF INTEREST**

No Declarations of Interest were made.

Joanne McIntosh, the Director of Legal and Democratic Services / Monitoring Officer, advised that Councillor Johnson was attending the meeting as the appointed substitute for Councillor Hughes.

Councillor Johnson declared an interest in Woking Football Club arising from his wife being Chairman of the Football Club. As the report before the Sub-Committee was in no way related to the Club it was agreed that Councillor Johnson could take part in the Hearing.

**5. LOCAL HEARING - ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS UNDER LOCALISM ACT 2011 STA21-011**

The Chairman stated that the purpose of the meeting was to hold a Local Hearing into a complaint received against a Councillor, which alleged that the Councillor had failed to comply with the Members' Code of Conduct. The process to be followed at the Hearing was outlined and it was noted that the Sub-Committee would need to determine whether there had been a failure to comply with the Code of Conduct and, if so, what, if any, action should be taken as a result.

In addition to the Members of the Sub-Committee and the Independent Person, Tim Stokes, the meeting was attended by the Councillor who had submitted the complaint, a further Councillor, and the Investigating Officer, John Austin.

The Chairman introduced John Austin to the Sub-Committee who had been appointed by the Monitoring Officer to investigate the matter and report the findings to the Sub-Committee, following the decision of the Monitoring Officer in consultation with the Independent Person, Tim Stokes, that local resolution of the complaint had not been appropriate.

Joanne McIntosh, Director of Legal and Democratic Services, stated that if the Sub-Committee found that there had been a breach of the Members' Code of Conduct, the available sanctions available were set out in the report.

The Chairman took the Sub-Committee through the agreed process for the Local Hearing and subsequently advised those present that the Sub-Committee would now determine whether there had been a breach of the Code of Conduct.

The Sub-Committee deliberated in private from 11.30 hours to 12.00 hours. Once all parties had returned to the meeting, the Chairman stated that in making its decision, account had been taken of the written evidence set out in the report, the oral statements made at the meeting, and the Members' Code of Conduct. The unanimous decision of the Sub-Committee was that there had been a breach of the Council's Members Code of Conduct.

The Chairman stated that the Sub-Committee would now determine what action, if any, should be taken as a result of the breach of the Code.

The Sub-Committee deliberated in private from 12.10 hours and 12.45 hours. Once all parties had returned to the meeting, the Chairman stated that the Sub-Committee had completed its deliberations in respect of the failure to comply with the Members' Code of Conduct and that the action to be taken was that the Sub-Committee would both publish its findings in a local newspaper related to the Member's conduct and report its findings to Council for information. The Chairman read the proposed notice and undertook to provide a copy to the Monitoring Officer after the meeting:

"Following a complaint made by Councillor Hughes and a subsequent independent investigation, former leader of Woking Borough Council, David Bittleston was found at a local hearing of the Standards Hearings Sub-Committee to have breached the Council's Members Code of Conduct during a meeting of the Executive held on 16 July 2020 in that he failed to treat Councillor Hughes and the members of the Overview and Scrutiny Committee with respect contrary to paragraph 2.1 of the Code, and failed to maintain the high standards of conduct as set out in paragraph 1.3 of the Code in relation to integrity and leadership contrary to paragraph 2.2 of the Code.

Woking Borough Council takes breaches of the Code of Conduct seriously and in the interests of transparency the Standards Hearings Sub-Committee will report their findings to full Council.”

Following a question by the Chairman, Councillor Hughes confirmed that she was content to be named in the notice.

The Chairman thanked everyone for attending the Hearing.

RESOLVED

That the notice prepared by the Chairman be included in a local newspaper and a report from the Sub-Committee be reported to Council following its decision that there had been a breach of the Members’ Code of Conduct by David Bittleston during his time as a Woking Borough Councillor.

The meeting commenced at 10.30 am  
and ended at 12.50 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_