

# Public Document Pack

## BRECKLAND COUNCIL

### At a Meeting of the

### GOVERNANCE & AUDIT HEARING PANEL

Held on Monday, 19 November 2018 at 11.00 am in  
Norfolk Room, Elizabeth House, Walpole Loke, Dereham

#### PRESENT

Mr W.P. Borrett  
Mr M. J. Nairn

Mr P. S. Wilkinson

#### Also Present

Mr B. Davis (Independent Person)

#### In Attendance

Teresa Smith  
Mark Stinson

Sarah Wolstenholme-Smy

- Democratic Services Team Leader
- Executive Manager Governance (Deputy Monitoring Officer)
- Legal Services Manager (Deputy Monitoring Officer BDC)

#### Action By

#### **9/18 DECLARATION OF INTEREST**

The Chairman informed the Panel that he was Norfolk County Councillor for the Mattishall Ward.

The Independent Person said he lived within the Ward represented by the Subject Member, and did not have any connection with the Subject Member.

#### **10/18 PROCEDURES**

The Procedures were explained.

#### **11/18 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

#### **12/18 CONSIDERATION OF COMPLAINT AGAINST A COUNCILLOR UNDER THE LOCALISM ACT 2011**

The Executive Manager for Governance presented the report.

The Panel had heard that the Subject member could not be present and had not presented any additional comments to those in his responses to the complaint or the investigation report.

**Action By**

The Independent person was invited to present his views of the complaint.

The Panel retired to consider their findings which are set out in the Decision Notice attached. In doing so, the Panel had regard to the evidence given, the views of the Independent Person, and all of the information in the agenda pack – which included the subject Member's written response to the complaint.

The meeting closed at 11.45 am

CHAIRMAN



**DECISION NOTICE**  
Reference Number: BDC 109

Name of complainant	Monitoring Officer brought this matter forward following a corporate complaint
Name of Subject Member	Pablo Dimoglou
Authority	Breckland Council and Yaxham Parish Council
Summary of Complaint	The length of time it took the Subject Member to respond to a number of Standards complaints made by either residents of Yaxham, or Yaxham Parish Council.
Hearing Panel Decision Reached	No breach of the Breckland Council's or Yaxham Parish Council's Code of Conduct
Reason for Decision	<ul style="list-style-type: none"> <li>• Members have no legal obligation to provide a response to a complaint.</li> <li>• The fact that the Subject Member failed to respond to two of the complaints did not preclude the Monitoring Officer and the Independent Person from assessing the complaints.</li> </ul>

Signed:.....Bill Borrett .....

Chairman, Governance and Audit Committee, Breckland Council

Date of Decision:.....19<sup>th</sup> November 2018 .....