



Minutes

Name of meeting	APPEALS SUB COMMITTEE
Date and time	WEDNESDAY 26 FEBRUARY 2020, COMMENCING AT 10.30 AM
Venue	CONFERENCE ROOM 3, COUNTY HALL, ISLE OF WIGHT
Present	Cllrs John Kilpatrick (Chairman), Debbie Andre, Karl Love
Co-opted Member	Cllr Mick Lyons (Havenstreet and Asheys Parish Council)
Officers Present	Ben Gard, Megan Tuckwell, Geoff Wild

12. [Declarations of Interest](#)

No declarations were received at this stage.

13. [Minutes of this meeting](#)

RESOLVED:

THAT following circulation of the minutes the Chairman be authorised to sign as a true record.

14. [Exclusion of Public and Press](#)

Members considered the need to exclude the public and press under Section 100(A) (4) of the Local Government Act 1972 for the following item of business, namely Minute number 15 on the grounds that there was likely to be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act. The Committee believed that the item did not warrant the exclusion of the public and press.

RESOLVED :

THAT the following item be taken in the open part of the meeting.

15. [Code of Conduct Complaint](#)

TPC.118.18 (Cllr Weaver – Bembridge Parish Council)

The Investigating Officer, Mr Ben Gard, presented his report to the Sub Committee which concluded that Cllr Weaver failed to comply with paragraphs 3(a), and 5 of the Code of Conduct. Additionally, the Investigating Officer presented two video recordings as supporting evidence. Questioning of the Investigating Officer took place by members of the Sub-Committee and Cllr Weaver.

Cllr Weaver presented the evidence on which he relied and made submissions about whether the facts constituted a breach and made a statement in mitigation. Questioning of Cllr Weaver took place by members of the Sub-Committee and the Investigating Officer.

All parties present were asked to leave the room whilst the Sub-Committee considered the matter. The Sub-Committee concluded its findings as to whether the facts amounted to a breach and invited all to return to the room. It was therefore:

RESOLVED:

THAT on the balance of probabilities and having carefully considered the conflicting evidence presented to the hearing, including the findings of the Investigating Officer, the submissions of Cllr Weaver and the video recordings of the meeting, it is the decision of the Panel that there is insufficient reliable and irrefutable evidence to reach a conclusion that a breach of the code of member conduct has occurred.

CHAIRMAN