

**MINUTES OF A MEETING OF THE  
ADJUDICATION AND REVIEW COMMITTEE  
(MEMBERS' CODE OF CONDUCT)  
ADJUDICATION AND REVIEW ASSESSMENT PANEL  
VIRTUAL MEETINGS**

**1 October 2020 (4.00 – 4.10 pm) and 15 October 2020 (4.00 - 4.34 pm)**

**Present:**

**COUNCILLORS**

**Conservative Group**            Matt Sutton (Chairman) and Ray Best

**Present at first meeting only:**    Tim Ryan

**Upminster & Cranham Residents' Group**        Linda Van den Hende

**Independent Person**            Keith Mitchell

Councillors Osman Dervish, Gillian Ford, Bob Perry, John Tyler and Graham Williamson were also present.

**1        APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS**

At the meeting on 1 October, Councillor Ryan disclosed a personal interest and withdrew from the proceedings as he felt he could not give an unbiased view of the complaints under consideration. The meeting was then adjourned.

At the reconvened meeting on 15 October, Councillor Best replaced Councillor Ryan on the panel.

There were no other apologies for absence.

**2        DISCLOSURE OF INTERESTS**

**4. CONSIDERATION OF A COMPLAINT SUBMITTED BY A MEMBER AGAINST ANOTHER MEMBER.**

Councillor Timothy Ryan, Personal, The Councillor did not feel he could give an unbiased decision on the complaints.

**3        EXCLUSION OF THE PUBLIC**

The Assessment Panel agreed to exclude the press and public from the remainder of the meeting.

4 **CONSIDERATION OF A COMPLAINT SUBMITTED BY A MEMBER AGAINST ANOTHER MEMBER**

At the reconvened meeting on 15 October, it was proposed by Councillor Best and seconded by Councillor Sutton that, under section 5.2 of the Council's Constitution, paragraph 4.4 (g) the matter be dismissed as more than three months had elapsed between the alleged incident and the date of receipt of the allegation.

Councillor Van den Hende raised that complaints from the public had previously been dealt with after a period of greater than three months had elapsed but it was pointed out that this was under a different Chairman and that it was important to be consistent.

The Panel noted the comments by the Director of Legal Governance in his report addressing the issue of the length of time the complaints had been submitted in but again felt it was important to remain consistent in how complaints were dealt with.

The Independent Person stated that a decision to dismiss the complaints for this reason raised concerns that this could bring the Council into disrepute. The Panel noted the comments.

The Panel **AGREED** unanimously that the complaints be dismissed and not investigated further due to there being more than three months between the date of the alleged incident and the date of receipt of the allegation. This decision was taken under section 5.2 of the Council's Constitution, paragraph 4.4 (g).

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**Chairman**