


| | |
|--|--|
| City of York Council Standards Committee |  |
| Pre Hearing Checklist | |
| Complainant | Mr Michael Askew |
| Subject Member | Councillor John Galvin |
| Investigating Officer | Ms Christine Bainton |
| Do you intend to attend the proposed hearing to give evidence or make representations? | |
| No | |
| Do you wish to be represented at the hearing by a solicitor, barrister or another person?¹ | |
| No | |
| If so by who? | |
| Name of representative and capacity in which they act: e.g. solicitor, friend, fellow Councillor | |
| Do you wish the whole or any part of the hearing to be in private? | |
| No | |
| If yes please explain why² | |
| | |

¹ Although there has to be a degree of formality to the proceedings of the committee it will be unusual for subject members to be represented. The procedure is not adversarial. The Committee will act in an inquisitorial manner to ensure that the circumstances of the case are fully understood.

² The Standards Committee's general position is that hearings should be held in public and that documents should be publicly available in advance of the meeting. However, there may be circumstances in which fairness to individuals dictates and the provisions of schedule 12A to the Local Government Act 1972 allow, information to be considered in private. The Council's proper officer will determine whether papers should be publicly available and the Hearing Sub Committee will determine whether the meeting or any part of it should be in private

Do you wish any part of the Investigating Officer's report or other relevant documents to be withheld from the public?

No

If yes please explain why³

Do you disagree with any of the facts found by the investigating officer as set out in his/her report?

No

If yes please set out briefly the facts that you dispute and your view as to the true factual position

³ The Standards Committee's general position is that hearings should be held in public and that documents should be publicly available in advance of the meeting. However, there may be circumstances in which fairness to individuals dictates and the provisions of schedule 12A to the Local Government Act 1972 allow, information to be considered in private. The Council's proper officer will determine whether papers should be publicly available and the Hearing Sub Committee will determine whether the meeting or any part of it should be in private.

Do you believe that witnesses should be called to the Hearing

Yes

If yes please identify the witnesses who you wish to be called and briefly identify the issues that they will be able to give evidence about⁴

As a matter of principle it should be possible to call witnesses. However my complaint related to a matter of public record which is not in dispute, therefore there are no witnesses necessary to uphold my complaint.

⁴ The Monitoring Officer and Chair will consider whether any witnesses you name are likely to be able to give evidence which will be of value to the Hearing Panel. If they are then those witnesses will be invited to attend. The Panel cannot compel the attendance of any witness.