

City of York Council Standards Committee	
Pre Hearing checklist	
Complainant	
Subject Member	Councillor
Investigating Officer	
Do you intend to attend the proposed hearing to give evidence or make representations	
Yes	
Do you wish to be represented at the hearing by a solicitor, barrister or another person.¹	
No	
If so by who?	
<i>Name of representative and capacity in which they act: e.g. solicitor, friend, fellow Councillor</i>	
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?
<i>No</i>
If yes please explain why³
Do you disagree with any of the <u>facts</u> found by the investigating officer as set out in his her report?
<i>No</i>
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
<p>Councillors Marquis, Plant, Flannery, Chapman, Chambers, Harvey-Walker, Baxter, Hill, Fisher, Mattinson, Ogilvy and Smith as well as former Councillor Edwards who have in Rachel McKeivitt's judgment been found in breach of the STPC Code of Conduct in respect of all of the specific issues set out in Rachel's report.</p> <p>The degree of 'corporate amnesia' on crucial issues such as the use of the words 'profit by deception' in a letter from the Chairman of STPC, Councillor Marquis, to Hague and Dixon Solicitors which we believe defamed us, and has not resulted in an apology from STPC needs further enquiry on oath. Our recollection of events could not be clearer and nor could the crippling consequences of STPC's use of defamatory words and their decision making generally: not only have we lost the sale of our building plot, the letter containing defamatory remarks was sent to solicitors for Graham's employer, we have had to apply for fresh planning permission for an eco-property and incur significant attendant expense including survey reports into ground source heat and borehole water etc. The stress has been overwhelming at times. STPC need to realise that their decision making has real consequences for real people and Rachel's evidence confirms our view that there is a degree of incompetence that should be held to account.</p>

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.