



**Decision notice . Governance and Audit and Standards (Hearing) Sub
Committee - 15 November 2013**

Issued: Friday, 15 November 2013

AI	WARD	DECISION	OFFICER CONTACT
3		<p>Consideration of a preliminary matter in relation to a complaint against a Member</p> <p>DECISIONS:</p> <p>The sub-committee have come to a conclusion having:</p> <ul style="list-style-type: none">• read the representation of Nigel Pascoe QC,• read and heard the depositions of Harriet Wistrich, solicitor on behalf of the complainant (in exempt business),• read the written deputation of Cllr Mike Hancock (in exempt business)• read the written advice of Ian Wise QC,• and considered the advice from Elizabeth Laing QC, which was circulated with the agenda and her further oral advice given prior to the meeting, that if the hearing were to proceed today that there would be a risk of inconsistent decisions being reached between the decision which the council could reach and that which the High Court may in due course reach. The sub-committee were of the view that this was a relevant matter for them to take into consideration when reaching their decision on the matter of whether or not the hearing should proceed. <p>Whilst they noted that this was not a necessarily a decisive factor, it was one which the sub-committee felt it should take into account when reaching its decision. The sub-committee considered that other relevant factors were: the greater suitability in this instance of the High Court procedure for determining contested issues of fact; the desirability of quick decision-making in standards cases, and the fact that in contrast to disciplinary proceedings in other fields, the sub-committee's powers to protect the public are, by the terms of its own procedure, limited.</p>	<p>Stewart Agland, Customer, Community & Democratic Services on 023 9283 4055 stewart.agland@ portsmouthcc.g ov.uk</p>

	WARD	DECISION	OFFICER CONTACT
		In conclusion it was the sub-committee's decision that the proposed hearing is adjourned until the conclusion of the High Court proceedings.	