

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Standards Hearing Sub-Committee**  
held on Wednesday, 17th June, 2009 at Municipal Buildings, Earle Street,  
Crewe, CW1 2BJ

### **PRESENT**

Mr N Briers (Independent Member) - Chairman

Councillors Rhoda Bailey, B H Dykes and M Parsons

Independent Member: Mr M Garratt

### **39 ELECTION OF CHAIR**

**RESOLVED:** That Mr Nigel Briers be elected Chair of the meeting.

### **40 DECLARATIONS OF INTEREST**

Councillors B H Dykes and Rhoda Bailey each declared a personal interest in agenda item 6 on the basis that they were Members of Cheshire East Borough Council, as was the subject Member.

No other declarations of interest were made.

### **41 PUBLIC SPEAKING TIME/OPEN SESSION**

In accordance with Procedure Rules 11 and 35, members of the public were entitled to address the Committee on any matter relevant to its work.

There were no members of the public present and the Committee proceeded to its next business.

### **42 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 2, 7C and 10 of Part 1 of Schedule 12A of the Act.

### **43 CONSIDERATION OF COMPLAINT**

The Sub-Committee considered the report of the Borough Solicitor and Monitoring Officer which provided details in respect of a complaint made against a serving Councillor.

This complaint had been received prior to 31<sup>st</sup> March 2009 and, in accordance with the transitional arrangements made under the Local

Government and Public Involvement in Health Act 2007, had been transferred to Cheshire East Council for completion.

Mr Richard Dix, of Jonathan Goolden, Solicitors, had been asked to conduct an investigation into the complaint and his report was submitted. Mr Dix had concluded that the subject Member had not breached the Code of Conduct.

The Sub-Committee's role was to consider the report and in particular, to decide whether (a) to accept the recommendations and the findings, or (b) not to accept those findings and decide other steps which should be taken, viz, refer the matter for consideration at a hearing before this Sub-Committee or refer the matter for consideration at a hearing before this Sub-Committee or refer the matter to the Adjudication Panel for England.

Having taken into account the report's contents and Members' obligations under the Standards Committee (England) Regulations 2008, together with relevant Guidance issued by the Standards Board for England, the Sub-Committee was satisfied that there had been no breach of the Code of Conduct by the subject Member. It, therefore, accepted the findings set out in the report. Accordingly, it was

**RESOLVED:** (a) That the findings of the Investigator's Report in respect of the complaint, be accepted, namely that there had been no breach of the Code of Conduct by the subject Member;

(b) That there should be no Determination Hearing into the allegations made by the complainant;

(c) That there should be no referral to the Adjudication Panel for England;

(d) That the subject Member and the complainant be informed of the Sub-Committee's decision; and

(e) That, unless requested otherwise by the subject Member, the Decision Notice be published in the local press.

The meeting commenced at 2.30 pm and concluded at 2.45 pm

Mr Nigel Briers (Chairman)