

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Staffing Sub Committee**
held on Wednesday 23rd January 2013 at East Committee Room - Municipal
Buildings, Earle Street, Crewe, CW1 2BJ

PRESENT

Councillor H Murray (Chairman)

Councillors B Moran and D Newton

Officers

Paul Bradshaw, Head of HR and Organisational Development

Melanie Henniker, HR Delivery Manager

Mike Mousdale, external legal advisor

Brian Reed, Democratic and Registration Services Manager

Councillor in Attendance

Councillor K Edwards for Part 1 Items only

25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

26 DECLARATIONS OF INTEREST

The Chairman provided an opportunity for members of the Sub-Committee, and for officers, to declare any pecuniary, non-pecuniary or other interests, which arose from the proposed business of the meeting.

There were no such declarations of interest.

27 MINUTES OF PREVIOUS MEETING

The minutes of the meeting which took place on 8th January 2013 were considered by the Sub-Committee and it was

RESOLVED:

That these constituted a correct record of the proceedings of that meeting.

28 PUBLIC SPEAKING TIME/OPEN SESSION

No members of the public were present at the meeting.

Councillor Ken Edwards used public speaking time to explain his concerns about restrictions upon publication of the Report of the Designated Independent Person in respect of the Lyme Green development project. He asked the Sub Committee to recommend that the Report be published.

The Chairman explained that it was not within the remit of the Sub Committee to make such a recommendation.

29 EXCLUSION OF THE PRESS AND PUBLIC

Pursuant to Section 100B (2) of the Local Government Act 1972, the report relating to the remaining item on the agenda had been withheld from public circulation and deposit on the grounds that the matters may be determined with the public and press excluded.

It was moved and seconded, pursuant to Section 100A (4) of the Local Government Act 1972 that the public and press be excluded from the remaining items of the Sub-Committee's business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended, and that the public interest would not be served in publishing the information, and it was

RESOLVED:

That the press and public be excluded from the remainder of the meeting for the reasons given.

30 REPORT OF DESIGNATED INDEPENDENT PERSON

The named senior officer, together with representatives, joined the meeting. The Chairman explained the process which would be followed by the Sub-Committee in respect of the disciplinary matters relating to the named senior officer's involvement in the Lyme Green development project.

The Chairman referred to documentation which had been submitted by and in support of the named senior officer and confirmed that the officers and the Sub Committee members had thoroughly read and understood it.

The Head of HR and Organisational Development explained the stage the proceedings had reached and how the business of the meeting might be dealt with.

The named senior officer's representative indicated that he and the named senior officer were content to proceed on this basis. He then made submissions on behalf of the named senior officer.

Members of the Sub-Committee asked questions of the named senior officer's representative and received his responses.

The named senior officer made submissions to the Sub-Committee and referred to documents which had been submitted prior to the meeting.

The named senior officer indicated that one document remained to be submitted to the Sub-Committee before a decision should be made upon this matter.

The Chairman asked the named senior officer and the representative of the named senior officer whether, once this document had been submitted to the Sub-Committee, this would complete all submissions and representations which the named senior officer wished to make in this matter.

The Chairman indicated that the Sub-Committee would be willing to receive and give due consideration to the document in question.

The named senior officer confirmed that submission of this document to the Sub-Committee would complete all submissions and representations which the named senior officer wished to make and agreed that the document in question would be produced by 31st January 2013.

During the proceedings, the Sub-Committee was adjourned on two occasions in order for members to consider the submissions made. The named senior officer and representatives left the meeting for these periods of adjournment, and rejoined the meeting thereafter.

RESOLVED:

That the proceedings stand adjourned to a date to be fixed, and that the named senior officer submit the remaining document to officers of the Council by no later than 31st January 2013.

Note: It was subsequently agreed that the meeting would reconvene at 9.30am on Friday 1st February 2013

The meeting commenced at 10.00 am and concluded at 4.20 pm on

Councillor H Murray (Chairman)

Minutes of a reconvened meeting of the **Staffing Sub Committee**
held on Friday 1 February 2013 at Westfields, Middlewich Road, Sandbach,
CW11 1HZ

PRESENT

Councillor H Murray (Chairman)

Councillors B Moran and D Newton

Officers

Melanie Henniker, HR Delivery Manager

Mike Mousdale, external legal advisor

Brian Reed, Democratic and Registration Services Manager

31 REPORT OF DESIGNATED INDEPENDENT PERSON

The meeting reconvened at 9.30 am on Friday 1 February 2013 and following continued discussion upon the matters in question and upon the submitted documentation, it was

RESOLVED:

That the proceedings stand adjourned until 10.00 am on Thursday 7 February 2013.

The meeting commenced at 9.30 am and concluded at 2.00 pm

Councillor H Murray (Chairman)

Minutes of a reconvened meeting of the **Staffing Sub Committee**
held on Thursday 7 February 2013 at Westfields, Middlewich Road,
Sandbach, CW11 1HZ

PRESENT

Councillor H Murray (Chairman)

Councillors B Moran and D Newton

Officers

Paul Bradshaw, Head of HR and Organisational Development

Melanie Henniker, HR Delivery Manager

Mike Mousdale, external legal advisor

Brian Reed, Democratic and Registration Services Manager

32 REPORT OF DESIGNATED INDEPENDENT PERSON

The meeting reconvened at 10.00 am on Thursday 7 February 2013 when discussions continued upon the matters in question, following which it was

RESOLVED:

- (1) That, subject to compliance with the required process, recommendations should be made to Council in respect of Allegations 2 and 3; and
- (2) That a meeting of the Sub Committee take place in due course in order for those issues of process, policy and organisational culture referred to in the Report of the Designated Independent Person be addressed by the Sub-Committee, for referral to the Chief Executive for appropriate action, when the above staffing matters has been resolved.

The meeting commenced at 10.00 am and concluded at 2.15 pm

Councillor H Murray (Chairman)