

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Standards Local Assessment Sub-Committee**
held on Tuesday, 12th May, 2009 at Room F1 - Westfields, Middlewich Road,
Sandbach CW11 1HZ

PRESENT

Mr N Briers Chairman
Councillors M Parsons and L Smetham

1 ELECTION OF CHAIR

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

2 DECLARATIONS OF INTEREST

No declarations of interest were made.

3 EXCLUSION OF THE 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 and 10 of Part 1 of Schedule 12A of the Act.

4 ASSESSMENT OF A 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 former County Councillor. This complaint had been received prior to 31st 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.

The complainant had subsequently requested that the complaint be withdrawn.

The Sub-Committee was invited to consider if, in line with the Standards Board for England advice, the request be accepted.

Members took into account the following -

- Does the public interest in taking some action on the complaint outweigh the complainant's desire to withdraw it?

- Is the complaint such that action can be taken on it, for example, without the complainant's participation?
- Is there an identifiable underlying reason for the request to withdraw the complaint? For example, is there information to suggest that the complainant may have been pressed by the subject Member or an associate of theirs, to withdraw the complaint?

Members were satisfied that there was no reason to refuse the request to withdraw the complaint. Accordingly, it was –

RESOLVED: (a) That the Sub-Committee accede to the complainant's request that his complaint against a former County Councillor be withdrawn; and

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

The meeting commenced at 10.00 am and concluded at 10.15 am

Mr Nigel Briers (Chairman)