

The **HEARING SUB COMMITTEE** met at **WARWICK** on the **3rd November 2009, 23 November 2009 and 30 November 2009**

3 November 2009

Present: -

Independent Member

John Bridgman (Chair)

County Councillors

Tim Naylor

John Vereker

Officers

Jane Pollard, Democratic Services Manager

John Wright, Principal Committee Administrator

Also In Attendance

Mr Bob Meacham (Independent Member)

1. General

(1) Apologies for absence

None

(2) Members' Disclosures of Personal and Prejudicial Interests

Councillor Vereker declared a personal interest in agenda item 3 "Complaint Under the Member Code of Conduct" as he had a close working relationship with the member the subject of the complaint.

2. Reports Containing Confidential or Exempt Information

Resolved that members of the public be excluded from the meeting for the item mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 7C of Schedule 12A of Part 1 of the Local Government Act 1972

3. Complaint Under the Member Code of Conduct

The Sub-committee received a report from the Strategic Director of Customers, Workforce and Governance on the outcome of an investigation into a complaint (reference WCC3/2009) against a member of the authority under the Member Code of Conduct which indicated that there may be a case to answer.

Members were reminded of the procedure for dealing with the complaint and the role of the sub-committee.

The Sub-committee decided that the matter should not be referred for hearing by a sub-committee of the Audit and Standards Committee. It did not consider

that the matters were so serious as to merit a referral for hearing to the Adjudication Panel for England.

The Committee was advised that the member in question and the complainant would need to be contacted to arrange a suitable date.

RESOLVED that

- (1) Following consideration of the outcome of the investigation in to the complaint (reference WCC3/2009) against a member of the authority under the Member Code of Conduct that the matter be referred for hearing before a sub-committee of the Audit and Standards Committee conducted under Regulation 18; and
- (2) The meeting be adjourned until after the conclusion of the meeting of the Audit and Standards committee on 23 November 2009.

The Sub-committee rose at 5.15 p.m.

The Sub-Committee reconvened on Monday 23 November 2009 at Shire Hall Warwick at 1pm

Present:

John Bridgeman (Chair)
Councillor Tim Naylor
Councillor John Vereker

Jane Pollard Democratic Services Manager

Members were reminded that the Sub-Committee remained in private session to deal with pre-hearing matters.

The Sub-Committee discussed various pre-hearing issues with regard to potential dates for the hearing, representation and the witnesses and evidence to be called. The Sub-Committee decided it needed further information with regard to the matters in dispute and the proposed number of oral witnesses.

RESOLVED that

- (1) The date for the hearing of the matter be fixed for 9.30am on Monday 7th December 2009
- (2) The Sub-Committee meeting on pre-hearing matters be adjourned to 9.30am on 30 November 2009 to give the member concerned an opportunity to attend.

The Sub-Committee rose at 2.30pm

The Sub-Committee reconvened on 30 November 2009 at Shire Hall Warwick at 9.30am

Present:

John Bridgeman (Chair)

Councillor Tim Naylor

Councillor Bob Stevens replaced Councillor John Vereker

Also Present:

The Member Concerned

Greta Needham –Head of Law and Governance

Jane Pollard – Democratic Services Manager

Members were reminded that the Sub-Committee remained in private session to deal with pre-hearing matters.

The Sub-Committee heard from the member concerned to clarify which matters were in dispute and agree what witnesses would be called at the hearing. The Sub-Committee also considered the suggested procedure for the hearing

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Chair of Sub-Committee