

**MINUTES OF: PRELIMINARY STANDARDS BOARD PANEL HEARING
IN RESPECT OF INVESTIGATION NO: SBE11005.05**

Date of Meeting: 18TH JULY 2007

**PRESENT: Mr A Neville (Standards Committee Chair)
Councillor Cheetham (Rossendale Borough Council)
Councillor Grogan (Whitworth Town Council)**

**IN ATTENDANCE: David Wilcock, Investigating Officer, Burnley Borough Council
Heather Moore, Hearing Administrator, Rossendale Borough
Council
Jenni Cook, Hearing Administrator, Rossendale Borough Council
Simon Bithell, Legal Advisor**

1. WELCOME

The Chair welcomed all present to the Preliminary Hearing in respect of investigation number SBE11005.05. It was noted that this would be a Preliminary Hearing to determine whether there was a case to answer full Standards Board Panel Hearing. The Chair noted that the meeting was quorate with 3 members of the Standards Committee in attendance.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

No declarations were made. It was noted that the individuals to which the case related were known to the panel.

4. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That under Section 100 (A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of exempt information under Paragraphs 1 and 2 of Schedule 12A of the Act.

5. NOTIFICATION PROCESS

The Legal Advisor informed the Panel that all relevant parties had been made aware of the Preliminary Hearing and had confirmed that they would be advised of the outcome.

6. PROCEEDINGS

The Investigating Officer presented the findings of his report. He informed the Panel that one witness statement had been excluded from his report as the statement had not been agreed by that particular witness.

The Investigating Officer clarified the nature of the complaint and responded to a number of questions which were raised by the Panel.

The Panel considered all the information provided to them including the report of the Investigating Officer together with supporting documentation.

The Investigating Officer was not present when the Panel discussed in its decision in relation to whether there was a case to answer and whether the matter should proceed to a Full Hearing.

7. DECISION

The Preliminary Hearing of the Standards Board Panel agreed that there was a case to answer and that the matter should proceed to a Full Hearing for the Panel to consider whether or not the Elected Member had breached the following sections of the Whitworth Town Council Code of Conduct for Members:

General Obligations

- (2) *A Member must-*
 - b) *treat others with respect; and*
 - c) *not do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the Town Council.*

- (4) *A Member must not in his/her official capacity, or any other circumstances, conduct himself/herself in a manner which could reasonably be regarded as bringing his/her office into disrepute.*

NB: That being the Code of Conduct which was in place when the complaint was made.

RESOLVED:

1. That a Full Hearing be arranged and that it be held before 14th August 2007.
2. That all relevant parties would be advised of the decision and the date of the Hearing.

The meeting commenced at 1.10pm and finished at 2.30pm