

Re-Convened Standards Hearing (Ad Hoc) Sub Committee

Notice of Decision

Case reference:	Z38/72
Subject Member:	Councillor G. W. Fairhurst
Complainant:	Councillor C. W. Morgan
Sub Committee Members:	Councillor C. Rigby (Chairman) Councillor S. Keane Councillor J. Ellis
Monitoring Officer:	Mr J. Mitchell
Independent Person:	Ms. P. Gregory
Clerk to the Panel:	Mrs D. Adshead
Date of Hearing:	Monday 21 st July 2014

This hearing was called as a consequence of Councillor Fairhurst's failure and unwillingness to abide by the sanctions placed on him at the earlier hearing on 8th May 2014.

Sanction 6 from the hearing of 8th May stated:

"that all sanctions will be monitored and that the Sub pCommittee be re-convened so that further sanctions may be considered should the Member fail to comply with the above requirements".

Councillor Fairhurst had indicated that he was unwilling to abide by the sanctions and has not submitted a written apology to Cllr Morgan and as a consequence the Monitoring Officer re-convened the hearing.

The Sub Committee was convened under the Council's Arrangements for Dealing with Complaints about the Code of Conduct for Members in accordance with the Localism Act 2011 for the determination of complaints that a Member may have breached the Council's Code of Conduct.

The Sub Committee was notified by Councillor G. W. Fairhurst that he would be attending the re-convened hearing but as a member of the public and not as a Councillor. The Sub Committee agreed to proceed with the hearing on that basis.

The Sub Committee then took into account the remaining sanctions available to them. The Sub-Committee felt that Councillor G. W. Fairhurst had shown contempt to the Standards Hearing (Ad Hoc) Sub Committee and so considered that whilst any sanction needed to be appropriate and in line with the severity of the breach of the code, it needed to send a clear message that disregarding the decision of the Sub Committee could not be tolerated. Having consulted with the Independent Person, the Sub Committee resolved the following further actions to be taken.

Resolved: The re-convened Standards Hearing (Ad Hoc) Sub Committee agrees that the following additional sanctions are to be imposed:-

- That the press be notified of the outcome of the reconvened Sub Committee
- The formal Decision Notice of the outcome of the reconvened Sub Committee and the details of the decisions of the Council Meeting are to be published on the Council's website and details of the outcome in a newspaper circulating in the Standish area;
- That the Council be notified of the outcome of the reconvened Sub Committee;
- That Councillor Fairhurst's ability to support Brighter Borough applications for funding be removed until the end of his current term of office in May 2016. This period to be reduced to twelve months from the date of the reconvened Sub Committee if Councillor Fairhurst complies with the actions required by the Sub-Committee at its meeting on 8 May 2014;
- That the Council be recommended to withdraw its nomination of Councillor Fairhurst as a governor of Standish High School and not to nominate him for such a role until a period of twelve months from the date of the reconvened Sub Committee has expired.

Right of Appeal:

Subject to judicial review or a decision of a Local Government Ombudsman, there is no right of appeal against the decision of the Standards Hearings (Ad Hoc) Sub Committee.