

STANDARDS SUB-COMMITTEE (Hearing)

16 SEPTEMBER 2010

REPORT OF THE MONITORING OFFICER

COMPLAINTS AGAINST FORMER COUNCILLOR ROBERT BAILEY REF: MC6/09	FOR DECISION	
<p>Summary</p> <p>This case remains open and is mid-way through the hearing which commenced on 26 March 2010. Following that day it proved difficult to fix a new date due to the local elections on 6 May. Mr Bailey was not then re-elected as a councillor. In such cases Standards for England recommended that the hearing should, nevertheless, be completed even though the only sanction left open to the Standards Sub-Committee, if a breach of the Code of Conduct was found, would be censure.</p> <p>Further efforts were therefore made to continue with the hearing and it was arranged for 1 July. Unfortunately, as members of the Sub-Committee will recall, this had to be called off at short notice following a request by the complainant's representative (now a Mr Walker).</p> <p>As time has moved on, and given the circumstances that Mr Bailey is no longer a councillor, the public interest in the matter and effective use of public monies comes into question. It has therefore been proposed to Mr Bailey and his representative that the Monitoring Officer might consider recommending to the Sub-Committee that no further action be taken. This would mean that the hearing would be suspended indefinitely and the complaints would simply be filed away without any conclusion. The complainant's representative has responded that Mr Bailey accepts this proposal.</p> <p>A letter has also been sent from the Monitoring Officer to the four complainants notifying them of this intention.</p>		
<p>Recommendation</p> <p>The Sub-Committee is asked to decide whether it is agreeable to the indefinite suspension of the case as suggested above, or whether it wishes to pursue the matter through to conclusion.</p>		
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Consultees

Yinka Owa – Deputy Monitoring Officer

Background Papers used in the Preparation of the Report

None