

MIDDLEWICH TOWN COUNCIL

FINANCE, POLICY AND GOVERNANCE COMMITTEE

Minutes of a special meeting of the Town Council's Finance, Policy and Governance Committee, held in room 3A, Victoria Building, Civic Way, Middlewich on Monday 28th January 2019 commencing at 6.00pm.

PRESENT

The Chairman, Councillor J Eaton, Councillors MA Hunter, JK Kingston, DJ Latham, SN McGrory, B Walmsley and W Walmsley

APOLOGIES

None

1 Declarations of Interest

None

Part 2 - To make a resolution to move into Part Two session and exclude the Public and Press from the Meeting on the basis that the items to be discussed involve staffing matters

2 Independent HR Consultant

The Personnel Committee had made the decision to bring in an independent Personnel advisor to look at the way the office is running and the staff capacity due to workload. They felt that it was important to gather this information to ensure the long term success of the Town Council offices and the Victoria Hall.

The advisor the Committee had located via the HR company used by the Town Council, Wirehouse, was Simon Jones. His costs are £550 per day excluding VAT and it is thought this investigation could take up to 4 days including a report. Personnel Committee requested that the sum of £2500 to be available to use for this purpose.

RESOLVED

That The request be granted.

3 Previous HR investigation into a Councillor's conduct

(a) Following referral from the Town Council on 21st January, to consider whether to adopt the following procedure as set out in Councillor Hunter's Member's Item:

1. All staff and councillors are informed in writing what they should do if they have a complaint about the conduct of a councillor and they sign the document to confirm they have received and understood it.
2. Any decisions made by councillors must only be done with all reports, legal advice and relevant documents placed before all of them in good time before the meeting.
3. If for any reason the Town Clerk is not able to advise and oversee any aspect of the town council's business, a suitably qualified temporary replacement, not a councillor, must be found and be available to advise all councillors impartially.

(b) To consider how to progress the remainder of Councillor Hunter's Item as set out below, including the establishment of a small Working Group. To also consider the advice received from Cheshire Association of Local Councils regarding who should be a part of the Working Group.

Councillor Hunter's Members Item:

"Following the judicial review in the High Court regarding R Harvey v Ledbury Town Council, it is highly likely that Middlewich Town Council engaged in an unlawful process against former councillor David Williams. Rather than allowing this matter to drag on, the Town Council will immediately do the right thing by:

1. *Rescinding motion 7871 because it was based on an unlawful investigation.*
2. *Withdrawing the report by Cllr William Walmsley submitted to the full council meetings in December 2016 and January 2017, which is also based on an unlawful investigation and by the author's own admission is not factually accurate.*
3. *Requiring Cllr William Walmsley to make the apology to this full council meeting that he claimed he made to the January 2017 full council meeting, which was not minuted, and that this apology is minuted in full.*
4. *Apologising to former councillor David Williams, acknowledging that the conclusions of an unlawful investigation, which only heard from one side, cannot be relied on.*
5. *Contacting the media, withdrawing any past comments about former councillor David Williams made by MTC representatives regarding an unlawful investigation because they are without foundation and requesting that they report the council's apology to former councillor David Williams."*

RESOLVED

It was resolved that the advice of ChALC be sought with regard to the matters of policy under (a) to ensure that they were in accordance with correct procedures, and if so, that they should be adopted as policy.

In respect of the remainder of the Members Item, it was resolved that no further action be taken.

Councillor J Eaton

Chairman.....2019

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