Notice of Motion relating to Correspondence on the Pembroke and Pembroke Dock Commercial Property Grant Scheme

The Audit Committee on 1 December 2014 considered a report by the Chief Finance Officer arising out of a Notice of Motion submitted by Councillor R M Stoddart which had been referred to the Committee for consideration and report back to Council for determination; such Motion being in the following terms:

That this Council resolves that Members shall have access to all correspondence between the Authority and both WEFO and Mr Cathal McCosker (including companies which he has an interest) regarding the repayment of grant monies received by Mr McCosker and his associated companies under the Pembroke and Pembroke Dock Commercial Property Grant Scheme.

Councillor Stoddart’s written submission in support of his Notice of Motion is attached as an Appendix.

In considering the matter, the Committee noted the following:

- Documentation that would be released under this Notice of Motion has been submitted to the Police, at their request as part of the investigation, to be considered as potential evidence. Therefore advice has been sought from the Police regarding this Notice of Motion.

- In the interest of Article 6 of the Human Rights Act 1998, which covers the right to a fair trial, the Police have advised that all material within their possession cannot be disseminated to Council Members until the investigation has been concluded.

Councillor Stoddart spoke in support of his Notice of Motion and he stated that the purpose of the Motion was to enable Members to have an up to date picture of the current situation including any possible losses to the Authority as a result of the inability to recover all repaid monies from Cathal McCosker and associated companies.

The Acting Head of Legal and Committee Services stated that this information had been passed to the Police for investigation of issues pertaining to fraud and should not be provided to Council Members until the investigation had been concluded.
Councillor Stoddart disagreed with the advice given by the Acting Head of Legal and Committee Services and submitted that the documentation should be provided for Members of the Audit Committee on a confidential basis.

DS Lewis, Dyfed Powys Police requested the Council’s support that all material within their possession could not be disseminated to Council Members until the investigated had been concluded.

The Acting Head of Paid Service stated that he was mindful that concern had been expressed that documentation would not be provided to Members until the Police had concluded their investigation but gave an assurance that when the investigation had been completed all requested documentation would be provided for Members.

The Head of Revenue and Assurance advised that proceedings with regard to the recovery of the debt were being pursued.

The Committee’s decision was to make the recommendation set out below.

**RECOMMENDATION:**

That Council be recommended that the Notice of Motion be not adopted.

____________________________________________________________________________________

**Background Documents:** None
APPENDIX

Supporting Submission - Notice of Motion relating to Correspondence on the Pembroke and Pembroke Dock Commercial Property Grant Scheme

To enable members to have an up to date picture of the current situation including any possible losses to the Authority as a result of the inability to recover all repaid monies from Cathal McCosker and associated companies.

Councillor R M Stoddart