

At a meeting of the STANDARDS COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on TUESDAY, 29TH SEPTEMBER, 2009 at 1.00 p.m.

Present:-

Mr. G.N. Cook in the Chair

Councillors M. Forbes, Tate and Wakefield, together with Mr. J.P. Paterson and Councillors G.W.K. Hepple and A.R. Wilkinson (Hetton Town Council).

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Charlton and Wares and Mr. C. Stewart.

Minutes

The minutes of the meeting of the Committee held on 30th June, 2009 (copy circulated) were submitted.

(For copy report – see original minutes).

1. RESOLVED that the minutes be confirmed and signed as a correct record.

Declarations of Interest

Item 5 – Protocol in relation to Members' Business Dealings

Councillor Tate declared a personal interest as an associate of Councillor Miller.

Guidance on “other action”

The Chief Solicitor submitted a report (copy circulated) summarising guidance recently issued by the Standards Board on the taking of “other action” for Members of Standards Committees.

(For copy report – see original minutes).

Mr. Bob Rayner, Chief Solicitor, presented the report highlighting the key points on other action detailed in Section 2 of the report and the options available to an Assessment Sub-Committee when dealing with a complaint that a Member has failed or may have failed to comply with the Code of Conduct detailed at paragraph 3. He briefed Members on Section 5 of the report in relation to deciding on other action and when other action is appropriate in Section 6.

In response to Councillor Wakefield, who commented that a breakdown of relationships, including those between Members and Officers could equally be Officer and Member, Mr. Rayner advised that where this was the case it would be dealt with under the Member/Officer Protocols. The report looked at when other action was appropriate and the example referenced was on the premise that the fault lay with the Member and was a general complaint. In relation to the submission of a written report to the Standards Committee within three months of receiving a direction, Mr. Rayner stated that he would strive to submit a report to the Standards Committee in as short a time as possible but the three months did provide for conciliation.

The Chairman highlighted that a referral for other action closed the opportunity to investigate.

Mr. Rayner confirmed that a decision to direct the Monitoring Officer to take other action was an alternative to an investigation and therefore the Assessment Sub-Committee needed to be sure this was appropriate as it could not subsequently decide to investigate the matter.

2. RESOLVED that the contents of the report be noted and the criteria set out in paragraph 6 of the report, in relation to taking other action, be adopted and added to the Handbook for Standards Committee.

Protocol in Relation to Members' Business Dealings

The Chief Solicitor submitted a report (copy circulated) informing the Committee that a notification had been received from Councillor Graeme Miller of his business dealings with the Council as Chief Executive and Managing Director of Tyne and Wear Education Business Link Organisation (TWEBLO).

(For copy report – see original minutes).

Mr. Bob Rayner, Chief Solicitor, briefed the Committee in relation to the circumstances of Councillor Miller's business dealings with the Council and the safeguard put in place for all TWEBLO – Sunderland City Council matters to be dealt with by TWEBLO's Operations Manager, together with the requirements for Councillor Miller in relation to declaring his interests as detailed in paragraph 2.3 of the report. Mr. Rayner added that at the end of the year his annual report would include details of the notifications received under the protocol.

3. RESOLVED that the contents of the report be noted.

The Chairman then closed the meeting having thanked Members and Officers for their attendance.

(Signed) G.N. COOK,
Chairman.