

STANDARDS COMMITTEE

AGENDA

Meeting to be held in the Civic Centre (Committee Room No. 2) on Tuesday, 7th October, 2014 at 4.00 p.m.

Part 1

ITEM		PAGE
1.	Apologies for Absence.	-
2.	Minutes of the Meetings of the Committee held on 29th November, 2013 and 16th May, 2014 Part 1. (Copies herewith).	1
3.	Declarations of Interest (if any).	-
4.	Progress Report on Complaints Report of the Head of Law and Governance (copy herewith).	5

Local Government (Access to Information) (Variation Order) 2006

The reports contained in Part II of the Agenda are not for publication as the Sub-Committee is considered likely to exclude the public during consideration thereof as they contain information relating to individuals and information which is likely to reveal the identity of individuals (Paragraphs 1 and 2 of the Local Government Act 1972, Schedule 12A, Part 1).

Part II

**This information can be made available on request in other languages.
If you require this, please telephone 0191 561 1345**

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| 5. | Minutes of the Meeting of the Committee held on 29th November, 2013 and 16th May, 2014 Part 11.

(Copies herewith). | 7 |
| 6. | Complaint Reference 03/14

Report of the Assistant Head of Law and Governance
(copy herewith). | 18 |

E. WAUGH,
Head of Law and Governance.
Civic Centre,
SUNDERLAND.

29th September, 2014.

At a meeting of the STANDARDS COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on FRIDAY, 29th NOVEMBER, 2013 at 10.00 a.m.

Present:-

Councillor H. Trueman in the Chair

Councillors Forbes, Marshall, Price, Richardson and Shattock together with Councillors Hepple and Wilkinson (Hetton Town Council).

Part 1

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Mr. A. Atkinson and Mrs S. Joseph (Independent Persons).

Minutes of the Meetings of the Committee

The minutes of the meetings of the Committee held on 18th February and 12th April, 2013 (copies circulated) were submitted.

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

Declarations of Interest

Councillor Marshall made an open declaration in relation to item 7 on the agenda, the report on Complaint Reference 1/12, that she had had previous knowledge of the background to the complaint, although at the time she had not been a Member of the Council herself. She therefore withdrew from the meeting prior to the consideration of this item.

DCLG Guidance – Openness and Transparency on Personal Interests

The Head of Law and Governance submitted a report (copy circulated) advising Members of Government guidance on openness and transparency on personal interests that had been updated and reissued by the Department of Communities and Local Government (DCLG) in September 2013.

(For copy report – see original minutes).

Ms. Elaine Waugh, Head of Law and Governance presented the report highlighting that the guidance had been updated to include specific provision regarding trade union membership.

Ms. Waugh outlined the options available as detailed at paragraph 3 of the report as to whether the Committee wished to recommend that Council consider amending the Code of Conduct to require registration of trade union membership. Alternatively, the Code could remain in its current form and for Members to continue to give consideration on a case by case basis to whether the potential appearance of bias or predetermination arises in any matter under consideration and if so, to declare that interest and leave the meeting room.

Consideration having been given to the report and the above options, it was:-

2. RESOLVED that:-

- i) the guidance document issued by (DCLG) on openness and transparency on personal interests be noted, and
- ii) no amendment to the Code of Conduct be proposed but that Members continue to be advised to declare any interest in a matter (whether or not that interest also amounts to a DPI) that may give rise to an issue of bias or predetermination at any meeting attended by them and where appropriate, leave the room while the matter is under consideration.

Local Government (Access to Information) (Variation Order) 2006

At the instance of the Chairman it was: -

3. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during consideration of the remaining business as it contains information relating to individuals and information which is likely to reveal the identity of individuals (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 1).

(Signed) H. TRUEMAN,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

Additional minutes in respect of further items are included in Part II.

At a meeting of the STANDARDS COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on FRIDAY, 16th MAY, 2014 at 2.00 p.m.

Present:-

Councillor H. Trueman in the Chair

Councillors Forbes, MacKnight, Mordey, Price and D. Richardson together with Councillors Hepple and Wilkinson (Hetton Town Council) and Mrs. S. Joseph Independent Person.

Also Present

Councillor Philip Tye

Ms. Frances Randle representing Councillor Tye

Ms. Julianne Collinson, Assistant Head of Law and Governance and the Investigating Officer

Mr. Jonathan Rowson, Assistant Head of Law and Governance, representing the Council's Monitoring Officer and providing procedural advice to the Committee

Mrs Christine Tilley, Team Leader, Governance Services, clerk for the hearing

Witnesses

Councillor E. Gibson

Mrs. Dawn Cook

Observers

Mr. David Banks, Officer of Tunstall Allotments Association

Mr. Nick Pearson, Officer of Tunstall Allotments Association

Part 1

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillor Shattock and Mr. A. Atkinson, Independent Person.

Welcome and Introductions

The Chairman welcomed everyone to the meeting and invited all those present to introduce themselves.

The Chairman outlined the procedure that the Committee was going to follow for the hearing.

Declarations of Interest

There were no declarations of interest made.

Local Government (Access to Information) (Variation Order) 2006

The Committee considered whether to hold the meeting in public or in private.

The Committee received advice from Jonathan Rowson, Assistant Head of Law and Governance that whilst the presumption is that wherever possible hearings should be held in public, in this particular case the documents before the Committee contain personal information relating to those third parties as identified on the first page of the investigation report. Mr Rowson advised that this personal information relating to third parties is exempt information and forms an important part of the factual background to the complaint against which the relevant Member's actions must be assessed. It was not possible to properly and fully consider the complaint without disclosing this exempt information. Therefore, in these circumstances it was appropriate on this occasion for the hearing to proceed in private to ensure that this exempt information is not disclosed to the public.

Having considered this advice, it was:-

1. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during consideration of the remaining business as it contains information relating to individuals and information which is likely to reveal the identity of individuals (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 1).

(Signed) H. TRUEMAN,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

An additional minute in respect of a further item is included in Part II.

PROGRESS REPORT ON COMPLAINTS

REPORT OF THE HEAD OF LAW AND GOVERNANCE

- 1** Members will recall that in accordance with the agreed procedures for dealing with complaints, the Head of Law and Governance reports the outcome of assessments and investigations that have been dealt with under delegated authority. The purpose of this report is to advise the committee of the outcome of two assessments which have been undertaken by the Assistant Head of Law and Governance (Governance Services), who is also the deputy monitoring officer. In both cases, it was determined that no further action should be taken.
- 2** The first complaint concerned allegations that three members had acted improperly at a Development Control Sub Committee, in particular in respect of the declaration of interests. One of the members had not in fact attended the Sub Committee concerned and in respect of the other two members, there was nothing to suggest that they had done anything other than comply with the Council's Development Control protocol.
- 3** The second complaint concerned an allegation that a member had failed to assist a constituent who believed that they had been the victim of theft. However, no information was provided to substantiate this allegation and on the contrary, it was clear from documentary evidence available that the councillor had brought the matter to the attention of relevant officers and that it had been dealt with and a response sent to the complainant.
- 4** **Recommendation**

Members are requested to note this report.

