

Minutes of the Meeting of
the TYNE AND WEAR FIRE AND
RESCUE AUTHORITY held in the
Fire and Rescue Service
Headquarters, Barmston Mere on
FRIDAY 29 JUNE 2012 at 10.00
am.

Present:

Councillor T Wright in the Chair

Councillors M Forbes, Mole, Mortimer, Mulvenna, Ord, Padgett and Stephenson.

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Ahad, Bell, N. Forbes, Gambling, Haley, McAtominey, Renton and Waller.

Declarations of Interest

There were no declarations of interest.

Minutes

11. RESOLVED that the minutes of the meeting of the Authority, Part I held on 11 June 2012, be confirmed and signed as a correct record.

The Localism Act 2011 – The Amended Standards Regime and Adoption of a New Code of Conduct

The Deputy Clerk to the Authority submitted a report to adopt the new Code of Conduct, to take effect from implementation of the new standards regime on 1 July.

Members were reminded that in the absence of the regulations, the provisions in respect of the draft Code considered by the Authority on 11 June were based on those in the existing Code. The interests set out in the regulations should therefore be reflected as DPs in the new Code.

Given the circumstances outlined at the previous meeting, members were asked to consider that rather than add further complexity to the regime in respect of interests, at this stage, that the provisions in the Code regarding interests should be confined to only those matters which had been defined as DPs. This position may subsequently be reviewed by the new Standards Committee in the light of any future guidance/best practice that may emerge and of experience of the operation of the Code.

Members agreed to adopt this approach and referred to the draft of a proposed Code, amended accordingly, annexed to the report for approval.

In addition, at its meeting on 11 June, the Authority was advised that whilst there was no legal requirement for a right of appeal to be built into the procedures for dealing with complaints about members' conduct, it was understood that some of the Tyne and Wear Authorities were likely to build provision into their arrangements for a member to request a review of a finding by the Standards Committee and/or a sanction imposed. It was recommended that the Authority incorporates such a provision into its own arrangements.

12. RESOLVED that:-

- (i) the new Code of Conduct as set out in the annex, be approved and adopted, to take effect from implementation of the new standards regime on 1 July; and
- (ii) Provision be included in the arrangements for dealing with complaints for a member who is aggrieved by a finding of the Standards Committee that he or she has failed to comply with the Code of Conduct and/or by a sanction imposed by the Committee, to have a right to request a review by an Independent Person of another local authority whose views, if critical of the original finding or sanction imposed, would result in the Standards Committee being required to reconsider its original decision. The Monitoring Officer be authorised to arrange with another Authority in the Tyne and Wear region that one of its Independent Persons be made available for this purpose.

(Signed) T WRIGHT
Chairman