
MEETING	STANDARDS COMMITTEE ASSESSMENT SUB-COMMITTEE
DATE	28 JANUARY 2010
PRESENT	MR DIXON (INDEPENDENT MEMBER, IN THE CHAIR) COUNCILLOR FORSTER (PARISH COUNCIL MEMBER) COUNCILLOR WAUDBY (CYC MEMBER)

19. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

All three Sub-Committee Members declared a personal, non prejudicial interest in agenda item 2 (Complaint against two Members of City of York Council, as one of the subject members in this case was also a member of the Standards Committee.

Cllr Waudby indicated that she had already had sight of the e-mails submitted by the complainant in support of his case, as he had originally circulated these to all Members of City of York Council.

20. COMPLAINT AGAINST TWO MEMBERS OF CITY OF YORK COUNCIL

The Sub-Committee considered a complaint made against two Members of City of York Council.

It was alleged that both subject members had breached paragraph 3 of the Code of Conduct by instructing a police officer, at a public meeting, to harass a member of the complainant's family. It was further alleged that one of the subject members had also breached paragraph 6 of the Code by using their position to protect a person who had abused the same family member.

Having considered all the evidence provided in support of the complaint, it was

RESOLVED: That no further action be taken in respect of this complaint.

REASONS: (i) The Sub Committee is of the view that the complainant has failed to identify the actions (if any) which the Councillors have undertaken which mean that they have breached paragraph 3 of the Code.

(ii) Further, the Sub Committee is mindful of the fact that the complainant has failed to provide any information at all to substantiate his allegations.

(iii) The Sub Committee is concerned that the tone of e mails provided by the complainant could suggest that the complaint was 'trivial, vexatious, malicious, politically motivated or tit for tat.' (Assessment Criteria)

(iv) In addition, the Sub Committee is aware that the complainant's allegations are the subject of an investigation by the Local Government Ombudsman into the actions of the local authority and does not believe that the public interest would be served by instigating another investigation of issues which are within the remit of the Local Government Ombudsman investigation and not obviously within the remit of this Sub Committee.

A Dixon, Chair

[The meeting started at 2.30 pm and finished at 3.00 pm].