

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Sub-Committee

Date: Wednesday, 25 April 2007

Place: Civic Suite, Civic Centre, Southend-on-Sea

Present: Mrs Farrell (Chairman), Reverend Burdett, Mrs. Tetley, Councillors Garne and Longley

In Attendance: J. Baker (Deputy Monitoring Officer)
Councillor R Weaver, Mrs Weaver
Mr J Bishop (Investigating Officer)

Start/End Time: 16.00/17.50

Part I

Apologies and substitutions.

None.

Declarations of interest.

None.

Hearing pursuant to Article 9.03(n) of the Constitution into allegations that Councillor Roger Weaver failed to comply with the Member's Code of Conduct.

The Sub-Committee conducted a Hearing into a complaint that Councillor Roger Weaver had failed to comply with the Members' Code of Conduct. The complaint was referred by the Standards Board for England and had been the subject of a local investigation. The complaint concerned an allegation that Councillor Roger Weaver had an interest in proposals concerning Thorpe Bay School by reason of the proximity of his home, that he spoke and voted thereon at two meetings of the Council and did not declare an interest on either occasion.

The Hearing was conducted in accordance with the Hearing Procedure Rules in Part 4 (i) of the Constitution.

The Sub-Committee found that Councillor Roger Weaver had not breached the Code. It was common ground that the proposals did not affect his financial position. The issue for the Sub-Committee was how a decision on the proposals for Thorpe Bay School might reasonably be regarded as affecting Councillor Roger Weaver's well-being. The Sub-Committee took into consideration a number of factors including that the property did not abut the School, it was screened by high fences and hedges, it was in a different road, remote from the School entrance and it would be unaffected by the ordinary comings and goings associated with a school or noise emanating from it. Although in many cases the distance involved would give rise to an interest, the Sub-Committee concluded they did not in the particular circumstances.

Resolved:

1. To concur with the findings of fact set out in the report of the Investigating Officer subject to the further details disclosed by Councillor Roger Weaver concerning the relationship of his home to the School.
2. To reject the conclusions of the Investigating Officer that Councillor Roger Weaver had contravened paragraphs 8.1 and 9.1 of the Code of Conduct because the Sub-Committee considered the relationship of Councillor Roger Weaver's home to Thorpe Bay School is sufficiently removed to have a neutral effect in the particular circumstances of this case.