

**NORTH TYNESIDE COUNCIL STANDARDS SUB-COMMITTEE**

**PRE-HEARING PROCESS SUMMARY**

<b>Member (s) subject of allegation:</b>	Councillor L Miller
<b>Complainant:</b>	Mrs N Redfearn, Elected Mayor
<b>Case Reference Number:</b>	NT01/2014
<b>Chair for meeting:</b>	Councillor C Johnson
<b>Independent Persons:</b>	Mr G Clark and Mrs S Gardner
<b>Monitoring Officer Representative:</b>	Mr S Ballantyne
<b>Investigating Officer:</b>	Mr P Keith-Lucas
<b>Democratic Services Officer:</b>	Ms Y Harrison
<b>Time, Date and Place of Hearing:</b>	<b>2.00pm, Thursday 26 March 2015, Room 0.09 Quadrant East, the Silverlink North, Cobalt Business Park</b>
<b>Time, Date and Place of Pre-Hearing Process Summary Meeting</b>	1.00pm, Thursday 19 March 2015, Quadrant East, the Silverlink North, Cobalt Business:

**Summary of allegation**

The complainant, Mrs N Redfearn, alleges that Councillor Miller:

1. in a political leaflet entitled “Intouch”, promoted and published in relation to the Monkseaton North Ward election that was held on 22 May 2014 Councillor Miller made statements that are misleading and untrue. These statements relate to a number of matters including plans by the Labour administration to:
  - a) close middle schools;
  - b) build 5500 houses at Murton;
  - c) close Marden Bridge Sports Centre; and
  - d) close Whitley Bay Police Station.

It is alleged that the statements in relation to these matters because they are untrue bring the Authority into disrepute.

2. that the political leaflet contains comments about the complainant that are highly critical of her and the way in which she conducts, as the Elected Mayor, the business of the Authority. She alleges that these comments fail to treat her with respect.

## **Relevant Paragraph(s) of the Code of Conduct**

The relevant paragraphs of the Code are:

Paragraph 1: You must treat others with respect, including Council officers and other elected members.

Paragraph 4: You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council or your office as a Member of the Council into disrepute.

## **Findings of fact in the Investigating Officer's report that are disagreed**

Councillor Miller has not disagreed with any of the findings of fact details in the Investigating Officers report. Councillor Miller has express concern over the interpretation of the facts in the report. Councillor Miller's response to the Investigating Officer's report is attached to the Pre-Hearing Process Summary.

## **Attendance at the hearing (including representatives)**

Councillor Miller will not be present at the hearing. He has stated that he does not wish to participate in the hearing as he does not consider it will be a "fair judgement given the Labour majority on the panel." Councillor Miller has not appointed a representative to attend the hearing on his behalf.

Mr Keith-Lucas, the Investigating Officer will be present at the hearing. He will be presenting his report.

## **Witnesses Attending**

None. No witnesses have been called by either Councillor Miller or the Mr Keith-Lucas.

## **Hearing Procedure**

The full procedure for the Hearing as agreed by the Chair is attached.

In summary, the Hearing will progress through the following stages and will include the consideration of any comments made by the Authority's appointed Independent Persons, as appropriate:-

- 1.) Introductions and preliminary procedural issues including consideration of any requests for the hearing to be held in full or in part in private.
- 2.) Pre-Hearing Process Summary.
- 3.) Presentation of Investigating Officers Report including witnesses.
- 4.) The Members response including witnesses.
- 5.) Withdrawal of Committee to determine Findings of Fact, whether a breach has occurred and any sanction to be imposed.

**Date Pre-Hearing Summary Completed:** Friday 20 March 2015

**Signed:** Councillor C Johnson  
**Chair of Standards Sub-Committee**