

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Executive

Council: 30 August 2006

Subject: Hearing of the Standards Commission for Scotland into an Alleged Breach of the Councillors' Code of Conduct by Councillor Connie O'Sullivan

1. Purpose

1.1 To provide the Council with a note of the written decision made by the Standards Commission into a complaint made against Councillor O'Sullivan.

2. Background

2.1 A complaint concerning Councillor Connie O'Sullivan was submitted to the Standards Commission by Mr John Robins, Campaigns Consultant for Animal Concern. The complaint related to an allegation that Councillor O'Sullivan had failed to declare an interest in relation to a licence application which was considered by the Council's Licensing Committee.

3. Main Issues

3.1 The Standards Commission heard the complaint on Wednesday 2 August 2006 and made the following decision:-

- (i) the Councillors Code of Conduct applied to Councillor O'Sullivan.
- (ii) Councillor O'Sullivan was in breach of paragraphs 4.1, 4.2 and 4.21 of the Councillors Code of Conduct and of the Regulations in that she failed to register timeously a relevant interest, being her Directorship of Scottish Enterprise Dunbartonshire in her Register of Interest.
- (iii) Councillor O'Sullivan should have been aware that her interest as a Director of Scottish Enterprise Dunbartonshire was such as to preclude her taking part in the Licensing Committee, as she had an interest that could reasonably be seen by a member of the public as influencing her role on the Licensing Committee. Instead she not only participated in the Licensing Committee meeting of 28 September 2005 but did so without declaring the interest.

(iv) Councillor O'Sullivan contravened the Councillors Code of Conduct as set out in paragraphs 5.1, 5.3, 5.9, 5.17 and 5.18 by her failure to declare the interest and her participation in, and failure to leave, the meeting.

3.2 The Standards Commission has decided to suspend for six weeks Councillor O'Sullivan's entitlement to attend meetings of West Dunbartonshire Council, its Committees, Sub-Committees and any body of which she is a representative or nominee of the Council. The period was for 2 August 2006 to 12 September 2006.

3.3 Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 requires the Council to consider the findings of the Standards Commission. A copy of the decision from the Standards Commission is attached to this report.

4. Personnel Issues

4.1 There are no personnel issues.

5. Financial Implications

5.1 There are no financial implications.

6. Recommendation

6.1 The Council is requested to consider the findings of the Standards Commission.

Tim Huntingford
Chief Executive

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Background Papers: Report by Chief Investigating Officer regarding alleged contravention of the Councillors Code of Conduct by Councillor Connie O'Sullivan

Wards Affected: All Wards