

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Standards Committee

9 March 2011

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LOCAL INVESTIGATIONS, HEARINGS AND REFERENCES MADE TO STANDARDS FOR ENGLAND

Purpose

1. To update members on local investigations and hearings.
2. On 10 December 2008 the Standards Committee resolved that cases in which no breach of the Code of Conduct has been found or no further action is to be taken should be anonymised for the purposes of reporting back to the Committee and that only in cases where a breach has been found should the relevant member be identified to the Committee.

Recommendations

3. That the Standards Committee note the report.

Case

4. **CORCOM 4297 (Standards Committee Hearing Panel, Consideration Meeting, 19 January 2011)**
This allegation, concerning a parish councillor, was received by the Monitoring Officer on 19 September 2010 and referred by the Local Assessment Panel for investigation. The Investigating Officer's final report was received on Wednesday 29 December 2010 and was presented to a consideration meeting of the Hearing Panel on Wednesday 19 January 2011.
5. The Hearing Panel concurred with the findings contained in the Investigating Officer's report and found that, on the balance of probabilities, the Parish Councillor had not breached the Code of Conduct ("a finding of acceptance"). The Panel accepted that, whilst the language of the Parish Councillor's written report to electors had been robust, it could be considered part of the 'rough and tumble' of political life. There was insufficient evidence to suggest that the Parish Councillor had acted with mischief, malice and / or recklessness in writing his report.
6. The Hearing Panel also considered further representations made directly to the Monitoring Officer by the complainants after the report had been finalised, and found that the investigation had been thorough and comprehensive, whilst also being proportionate to the severity of the allegation.
7. As with all cases where the Hearing Panel, at a consideration meeting, upholds the Investigating Officer's findings that there has not been a breach of the Code of Conduct, the subject member was asked whether or not a public notice of the outcome should be published in a local newspaper. The subject member confirmed that a public notice was desired.

8. The cost to the authority was £2,163.97 (including VAT) for the investigation and £550.80 (including VAT) for the public notice.

Background Papers: the following background papers were used in the preparation of this report:

Standards Committee Local Hearing Panel Decision Notices CORCOM 4297
Local Authorities (Code of Conduct) (Local Determination) Regulations 2003
Standards Committee (England) Regulations 2008
SCDC Constitution

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