

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Standards Committee

5 April 2012

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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 notes the report.

Cases

CORCOM 4734, 4737 and 4738 (Standards Committee Local Assessment Panel 30 September 2011)

4. Three related allegations about two members of one parish council were received in mid-September 2011. The Local Assessment Panel referred all three cases to the Monitoring Officer for investigation as one matter. A member of the Council's Legal Team was appointed as the Investigating Officer and, following investigation, the Hearing Panel on 7 February 2012 upheld the Investigating Officer's findings that there had been no breaches of the Code of Conduct. The Hearing Panel also wrote to all members of the Parish Council, copied to the complainants and the Cambridgeshire and Peterborough Association of Local Councils (CAPALC), to express its concern at the breakdown in relations between parish councillors and between councillors and the public, and to welcome the parish council's decision to seek advice from CAPALC on addressing its issues in a balanced way to enable the Parish Council to regain its standing in the community.

CORCOM 4886 (Standards Committee Local Assessment Panel 6 January 2012 and Review Panel 14 March 2012)

5. An allegation about a parish councillor was received on 29 December 2011. The Local Assessment Panel decided to take no action. The complainant requested a review, and the Review Panel, on 14 March 2012, upheld the original decision to take no further action. The Review Panel advised the complainant that if the complainant wished to pursue the matter further, the complainant could take legal action privately.

CORCOM 4894

6. An allegation about a parish councillor was received on 6 January 2012. The Monitoring Officer declined to forward the matter to the Local Assessment Panel without supporting evidence that the subject member had been acting in an official

capacity at the time of the alleged incident. The complainant has not supplied any further information.

CORCOM 4900

7. An allegation about a parish councillor was received on 16 January 2012. The complainant requested anonymity. The Assessment Panel considered the request for anonymity but felt that it would be impossible to grant, given the circumstances of the allegation. The complainant was advised of this decision and opted to withdraw the complaint rather than to proceed.

CORCOM 4929 (Standards Committee Local Assessment Panel 17 February 2012)

8. An allegation about a district councillor was received on 8 February 2012. The Assessment Panel has referred the matter to the Monitoring Officer for investigation. An external investigator has been appointed and the Hearing Panel will consider the report in due course.

CORCOM 4934 (Standards Committee Local Assessment Panel 17 February 2012)

9. An allegation about a district councillor was received on 15 February 2012. The Assessment Panel has referred the matter to the Monitoring Officer for investigation. An external investigator has been appointed and the Hearing Panel will consider the report in due course.

CORCOM 4941 (Standards Committee Local Assessment Panel 9 March 2012)

10. An allegation about a district councillor was received on 22 February 2012. The Assessment Panel has decided to take no further action. The complainant has until 14 April 2012 to request a review of this decision.

CORCOM 4945 (Standards Committee Local Assessment Panel 9 March 2012)

11. An allegation about a district councillor was received on 21 February 2012. The Assessment Panel has decided to take no further action. The complainant has until 14 April 2012 to request a review of this decision. The complainant also requested anonymity, which the Assessment Panel granted as no further action was going to be taken.

Conclusion

12. Since 1 April 2011, the Monitoring Officer has received thirty-four complaints about twenty-seven parish councillors from six parish councils and, after two years without any complaints about district councillors, four allegations have been made about the conduct of district councillors.
13. For comparison, the Monitoring Officer received a total of thirty-eight complaints during the first three years of the local assessment procedure. The number of complaints received continues to be included on the District Council's Risk Register as a strategic risk facing the authority.

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

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

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