

REPORT TO: Civic Affairs Committee
LEAD OFFICER: Monitoring Officer

5 December 2013

UPDATE ON CODE OF CONDUCT COMPLAINTS

Purpose

1. To update members on complaints cases regarding alleged breaches of the code of conduct.

RECOMMENDATIONS

2. That the Civic Affairs Committee **note** the progress of outstanding complaints.
3. **Complaint cases concluded since last meeting:**

(a) **CORCOM 659**

A complaint was made by a business about a parish councillor, who is also a district councillor who sits on the SCDC planning committee, in relation to the handling of a planning application at parish council level. Following consideration of the written evidence provided by all involved parties by the Monitoring Officer and Independent Person it was considered that the complaint was not upheld and that no further action needed to be taken.

(b) **CORCOM 574**

The complaint was made by a district councillor about two other district councillors in relation to the publication of a party political leaflet. Following consideration of the evidence by the Monitoring Officer and Independent Person and discussions with the parties involved it was considered that no further action needed to be taken.

(c) **CORCOM 575**

The complaint was made by a district councillor about two other district councillors in relation to a matter concerning assistance to a parish council. It was considered that as insufficient evidence was provided in support of the complaint no further action will be taken.

4. **New complaint cases/cases outstanding at 26th November 2013**

(a) **CORCOM 955**

The complaint was made by a resident about a parish councillor in relation to action taken with regard to overhanging trees in a village. The allegations were that the parish councillor approached an elderly resident in a bullying manner in relation to the work which resulted in an accident occurring. A

complaint had previously been made to the parish council concerned before being referred to SCDC. Having considered the written evidence about the incident it was considered that nothing inappropriate had occurred and that no further action should be taken.

(b) **CORCOM 956**

The complaint has been made by a resident in relation to a district councillor concerning his involvement in an issue in his parish in which he is alleged to have an interest which has not been declared. Further responses are currently awaited before the evidence will be considered by the Monitoring Officer and Independent Person.

(c) **CORCOM 346**

This complaint was made by a parish councillor about a district councillor. The complainant alleges a number of breaches of the code of conduct. Correspondence has been taking place between the parties via the Monitoring Officer in relation to this complaint. A connected complaint was made to the Information Commissioner earlier this year and the complainant wished to await the outcome of this before proceeding with the conduct complaint. The council is currently in correspondence with the Information Commissioner regarding the related complaint.

Other complaints

5. The Monitoring Officer and Deputy Monitoring Officer are continuing to advise a number of parish councils in relation to on-going conduct-related issues.

BACKGROUND PAPERS: Localism Act 2011
SCDC Code of Conduct Complaints procedures

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