

**MODEL CODE OF CONDUCT: STANDARDS BOARD NOTIFICATIONS  
(Report by the Director of Central Services and Monitoring Officer)**

**1. INTRODUCTION**

1.1 In accordance with the procedure adopted by the Standards Board for England for the investigation of allegations, the Monitoring Officer has been notified of the Board's decisions in respect of :-

- ◆ allegations made by a resident of Ramsey against eight District Councillors serving on the Development Control Panel and four Ramsey Town Councillors (Case One); and
- ◆ two separate allegations made by a District Councillor against a colleague District Councillor (Cases Two and Three).

**2. DETAILS OF CASE ONE**

2.1 It had been alleged by the complainant that at a meeting of the District Council's Development Control Panel on 15th March 2004, District Councillors spoke against the recommendation of a Development Control Officer in respect of a planning application situated within the ward of Ramsey even though they were not residents of the town suggesting that it was improper conduct and part of a wider conspiracy. Other allegations relating to disreputable behaviour, the non declaration of a personal friendship, inappropriate conduct relating to speakers at the Panel meeting and the sharing of information contained on the agenda with a third party also were made.

2.2 On 13th May 2004 the Standards Board for England considered the allegations and decided not to refer the cases to an Ethical Standards Officer (ESO) for investigation.

2.3 In general terms, the Board stated that the alleged conduct in each case would not have involved any failure to comply with the Authority's Code of Conduct. In the various other circumstances referred to and given the insufficiency of information provided, the Board also concluded that the alleged conduct (even if it were found to have occurred) would not have involved any failure to comply with the Code.

2.4 Various allegations made against four Ramsey Town Councillors also related to the determination of the same planning application for development on the High Street at Ramsey. Again, explanatory information submitted in support of the allegations was limited but irrespectively the Standards Board for England considered that the alleged conduct in each case (even if it were found to have occurred) would not have involved any failure to comply under the Authority's Code of Conduct.

2.5 Therefore none of the allegations made by the complainant against the District and Town Councillors in this case was pursued.

### **3. DETAILS OF CASE TWO**

- 3.1 It had been alleged that a District Councillor had utilised computer equipment supplied to him for Council business for other inappropriate purposes which had caused offence to a fellow District Councillor. The case has been referred to an Ethical Standards Officer for investigation.
- 3.2 Members may recall that at the conclusion of the investigation, the Ethical Standards Officer may come to one of four findings:-
- i) that there is no evidence that the Member has broken any part of their local Code of Conduct;
  - ii) that no further action needs to be taken in relation to the matter investigated;
  - iii) that the matter should be referred to the Monitoring Officer of the relevant authority; or
  - iv) that the matter should be referred to the Adjudication Panel for England.
- 3.3 As part of the investigative process, the Monitoring Officer will be contacted by the Ethical Standards Officer and a report on the outcome will be submitted to a future meeting.

### **4. DETAILS OF CASE THREE**

- 4.1 A District Councillor alleged that at the local elections held on 1st May 2003 for St Neots Town Council and Huntingdonshire District Council a District Councillor contravened the Representation of the People Act 2000 in voting by proxy on behalf of more than two electors who were non-family members. Following an extensive police investigation and after St Neots Town Council ballot papers had been released by Court Order, the Councillor accepted a police caution. The complainant believed that the police did not investigate the District Council elections and alleged that, if such an investigation had been conducted, misdemeanours would have been found. The complainant believed that the Councillor concerned had brought both Councils into disrepute by not apologising to either St Neots Town Council or Huntingdonshire District Council.
- 4.2 On 14th June 2003, the Standards Board for England considered the allegations received and concluded that the complaint should not be investigated further. It was the view of the Board that the Councillor concerned did not act deliberately when voting by proxy on behalf of three individuals at the St Neots Town Council elections. Furthermore, there was no indication that a similar breach had occurred in the District Council elections. Although it was regrettable that the Councillor had failed to apologise to St Neots Town Council the Board, in acknowledging that a police caution had been accepted, was of the view that the alleged conduct was not of such significance of itself to justify investigation by an Ethical Standards Officer and any subsequent action. Although reaching this conclusion, the Board neither condoned nor approved of the alleged misconduct.

### **5. CONCLUSION**

- 5.1 The Committee is invited to note that the Standards Board for England has agreed not to take any further action in relation to

allegations made against one District Councillor for alleged election irregularities and against Members of the District Council's Development Control Panel and four members of Ramsey Town Council but has referred to an Ethical Standards Officer a complaint made against a District Councillor in respect of use of a PC and associated equipment issued to him for Council business use.

**Background Papers**

Letters received from the Standards Board for England dated 14th and 17th May and 14th June 2004.

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