

**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 –

- ◆ an allegation made against a District Councillor (Case 1); and
- ◆ allegations made against Councillors serving on Farcet, Earith and Southoe & Midloe Parish Councils (Cases 2 – 4).

2. DETAILS OF CASE 1

2.1 It had been alleged that a District Councillor had used a Council computer to publish critical comments about another Member on the internet in November 2003 thus failing to treat that Member with respect, unlawfully discriminating against her, misusing the Authority's resources for political purposes and bringing his office into disrepute.

2.2 The Ethical Standards Officer (ESO) considered that although the Councillor did post politically motivated comments on the internet this was not done in his official capacity and therefore did not amount to unlawful discrimination. The ESO considered that the Councillor's comments were political banter and did not in the circumstances bring his office into disrepute nor fail to treat the Member with respect. However, the ESO considered that the Council did not allow access to the internet for non-work related reasons and the misuse of Council equipment to make these comments was a failure by the Councillor to comply with Code of Conduct. As the Councillor realised that his behaviour was inappropriate and as he no longer took part in it, the ESO found that no further action needed to be taken.

3. DETAILS OF CASE 2

3.1 The background to Case 2 concerned highways issues and the proposed solution to problems caused to villagers in Southoe & Midloe by the A1 trunk road. Two allegations were pursued by the Board against two Members of Southoe & Midloe Parish Council. The allegations concerned the failure to declare an interest and withdraw from a meeting of the Parish Council in September 2003 when the Council discussed possible new road schemes to allow safe access to Southoe village from the A1. It was alleged that the Chairman of the Parish Council had an interest because he lived near one of the suggested schemes and might benefit from the sale of land to developers if a new road was built. It was also alleged that the Chairman held meetings with officials about the road schemes without reporting the outcome of those meetings to the Council.

Furthermore it was suggested that Chairman improperly tried to secure an advantage for himself by persuading Councillors and members of the public to support a particular road scheme. Finally it was alleged that the Chairman tried to pressurise another Councillor to declare a prejudicial interest and to withdraw from a meeting about the road schemes.

- 3.2 The ESO concluded that the Chairman did not have a personal interest in the question of which road scheme the Council should support. In reaching this conclusion, he noted that the options only were being discussed in principle and no funding had been agreed for any new road scheme. The ESO also concluded that the Chairman did not use his position as a Member improperly to secure an advantage for himself or to act in a way that brought his office or authority into disrepute.
- 3.3 In terms of the allegation made against another Parish Councillor – this concerned a failure to declare a personal and prejudicial interest in discussions also about access roads to the A1 from the village. Allegedly the Councillor had an interest because her family owned land adjacent to the A1. The ESO considered that although the Councillor did not try to conceal her family's ownership of the land, she did fail to declare a personal interest at a meeting of the Parish Council in July 2003. The ESO did not however consider that that interest was prejudicial and found no further action needed to be taken.

4. DETAILS OF CASE 3

- 4.1 The Monitoring Officer has been advised of the Board's decision to refer for further investigation to an ESO an allegation relating to a Councillor serving on Earith Parish Council. The complaint involves the consideration of a planning application by the Parish Council. The ESO will determine whether the matter should be handled locally or centrally. Currently this allegation has not been referred to the Monitoring Officer for investigation. A report on the outcome will be submitted to a future meeting.

5. DETAILS OF CASE 4

- 5.1 The Standards Board has found that no further action requires to be taken in a case involving a Member of Farcet Parish Council who referred himself to the Board because he believed that he failed, in error, to declare a personal and prejudicial interest at a meeting of the Parish Council.

6. CONCLUSION

- 6.1 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 a District Councillor and Members of Farcet and Southoe & Midloe Parish Council but has referred to an ESO the complaint made against a Member of Earith Parish Council.

BACKGROUND PAPERS

Letters received from the Standards Board for England dated 14th April and 9th August 2005.

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