

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 decision in respect of –

- ◆ an allegation made against a District Councillor (Case 1);
and
- ◆ allegations made against six Councillors serving on St. Ives Town Council (Case 2).

2. DETAILS OF CASE ONE

2.1 It had been alleged that a District Councillor had a poor understanding of planning laws and procedures, evidenced at a meeting of Stilton Parish Council on 27th March 2007, thus damaging the reputation of his office and the authority and mis-using the authority's resources.

2.2 In reaching a conclusion on the complaint, the Board considered that the issue complained of was related to the competence of the Councillor rather than his ethical conduct. The Board regulates the ethical conduct of Members, not the quality or accuracy of their work and it was not considered that the alleging conduct amounted to a failure to comply with the Code of Conduct. The Board decided that the allegation should not be referred to an Ethical Standards Officer for investigation nor that a breach of the code of conduct was disclosed.

3. DETAILS OF CASE TWO

3.1 The background to case two involved the proposed sale of St. Ives Corn Exchange by St. Ives Town Council. Complaints were submitted on behalf of the Action Corn Exchange Group and related to various matters, allegedly that the Councillors involved with the sale of the building made poor quality decisions, behaved in an un-democratic fashion and did not adequately pursue alternative solutions to its sale.

- 3.2 In response, the Standards Board for England contended that it exists to monitor the ethical conduct of individual councillors. It does not have jurisdiction to consider complaints relating to the actions of the Council as a whole, nor the decisions of Committees of the Council. In the main, the Board considered that the allegations referred to related to the general actions of the Council as a whole. Similarly, the Board believed that it does not have the jurisdiction to consider allegations relating to the quality of Councillors work or their decisions.
- 3.3 Additionally, the Board considered that it was normal political practice for Councillors to take opinionated stances on local matters which at times might bring them into conflict with others of differing opinions. It was noted that the potential sale of the Corn Exchange was a controversial local issue and that tempers were running high on both sides whilst dealing with these matters. It was considered normal practice for Councillors to robustly defend their views. There is an expectation that such commentary would not stray into disrespect or bullying and this was not evidenced in the case in point. Whilst it was alleged that information was deliberately withheld and that meetings were held in private, the allegations did not support the view that this had been done in order to improperly influence any decision-making surrounding the potential sale, or that it had been done in order to deliberately mislead anyone. Accordingly, the Standards Board decided that the allegations should not be referred to an Ethical Standards Officer for investigation. In addition, the Board did not believe that potential breaches of the code of conduct were disclosed by the six Members against whom the complaints had been made.

4. CONCLUSION

- 4.1 The Committee is invited to note that the Standards Board for England had agreed not to take any further action in relation to allegations made against a District Councillor and six members of St. Ives Town Council.

BACKGROUND PAPERS

Letters received from the Standards Board for England dated 21st June and 9th August 2007.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**