

HEARINGS SUB-COMMITTEE'S SANCTION

To: **Full Council**

Date: **16th December 2014**

From: **The Monitoring Officer**

Purpose: **Council is asked to consider a motion of censure against Councillor Leeke, proposed by the Chairman of the Constitution and Ethics Committees, and seconded by Councillor McGuire.**

Recommendation: **Council is recommended to:**

consider a motion of censure against Councillor Leeke, proposed by the Chairman of the Constitution and Ethics Committees, and seconded by Councillor McGuire.

<i>Officer contact:</i>		<i>Member contact</i>	
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1. Background

- 1.1 The Localism Act ("the Act") places a statutory duty on the County Council to promote and maintain high standards of conduct amongst its Members and co-opted Members. This includes the obligation on the County Council to have in place a Code of Conduct setting out the standard of conduct expected of Members when acting in their capacity as County Councillors.
- 1.2 The requirements of the Act are supported by Article 9 of the Constitution which also requires the Constitution & Ethics Committee to monitor the operation of the Code of Conduct and the complaints received under it.
- 1.3 At its meeting on 11 November 2014, the Constitution & Ethics Committee received a report setting out what actions the Committee may consider taking in relation to the non-compliance by Councillor Leeke with the sanction imposed by the Hearings Sub-Committee on 12 August 2014.
- 1.4 At a meeting of the Hearings Sub-Committee of the Constitution & Ethics Committee on 12 August 2014, the Sub-Committee found that Councillor Leeke had breached the Members' Code of Conduct by releasing confidential information in to the public domain. As a result of the finding of breach, the Sub-Committee imposed a sanction on Councillor Leeke requiring him to write a letter of apology to the Chief Executive.
- 1.5 To date, no letter of apology has been received by the Chief Executive from Councillor Leeke.
- 1.6 The Committee was invited to consider whether it wished to take any further action against Councillor Leeke in connection with his non-compliance with the sanction imposed by the Hearings Sub-Committee. There were two options open to the Committee in this regard:
 - 1.6.1 To resolve that a further complaint should be made to the Monitoring Officer by a Member of the Committee under the Members' Code of Conduct alleging that Councillor Leeke had brought his office into disrepute in failing to comply with the sanction imposed by the Hearings Sub-Committee; and/or
 - 1.6.2 The Committee could resolve to request that the Chairman of the Committee writes to Councillor Leeke to express disappointment at Councillor Leeke's failure to comply with the sanction imposed by the Hearings Sub-Committee.
- 1.7 The Committee discussed possible courses of action in response to Councillor Leeke's non-compliance with the Hearings Sub-Committee's sanction. It recommended the following:
 - a) this Committee regrets that despite a determination that Councillor Maurice Leeke was in breach of the Code of Conduct, he has refused to apologise to the Chief Executive
 - b) this Committee recommends to Full Council that it censure Councillor Leeke accordingly.

The Chairman undertook to introduce the motion of censure at Full Council, and Councillor McGuire agreed to second it.

Source Documents	Location
Constitution and Ethics Committee – Report and Minutes 11 November 2014	http://tinyurl.com/ccc-ce-111114