

A REVIEW OF THE COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT TO 4 APRIL 2016

To: Constitution and Ethics Committee

Meeting Date: 19 April 2016

From: LGSS Director of Law, Property & Governance and Monitoring Officer

Electoral division(s): All

Purpose: To brief the Constitution and Ethics Committee on the number and nature of the complaints received about Members under the Code of Conduct from 23 January 2016 to 4 April 2016.

Recommendation: It is recommended that the Constitution and Ethics Committee note the contents of this report.

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1. INTRODUCTION

- 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. This report serves to provide the Constitution & Ethics Committee with an overview of the complaints received under the Code of Conduct from 23 January 2016 to 4 April 2016.

2. OVERVIEW OF COMPLAINTS

- 2.1. From 23 January 2016 to 4 April 2016, two new complaints against a Member were received by the Monitoring Officer. Details of these complaints are set out in Appendix 1.

Source Documents	Location
Decision Notice – Complaint against Councillor Mandley	Held by LGSS Law Limited Ref L-COR00264
Decision Notice – Complaint against Councillor van de Ven	Held by LGSS Law Limited Ref L-COR00265

APPENDIX 1

Report to the Constitution and Ethics Committee

Overview of complaints made against Members

23 January 2016 to 4 April 2016

Complaint against:	Cllr Richard Mandley
Date of Complaint:	11 March 2016
Complainant:	Cllr Florence Newell
Allegation:	Cllr Mandley breached the Code of Conduct by allegedly making disparaging comments about Fenland District Councillors at a meeting of Chatteris Town Council on 2 February 2016
Current Status:	Concluded
Outcome:	The Independent Person concluded that there had been no breach of the Code of Conduct by Cllr Mandley. There was insufficient evidence adduced by the Complainant to substantiate jurisdiction or the allegations.
Date of final decision:	25 March 2016

Complaint against:	Cllr Susan van de Ven
Date of Complaint:	23 March 2016
Complainant:	Mr David Elliot
Allegation:	Cllr van de Ven breached the Code of Conduct by allegedly interfering in Shepreth Parish Council affairs and encouraging the naming and shaming of complainants by participating in an email chain in November 2015.
Current Status:	Concluded
Outcome:	The Independent Person concluded that there had been no breach of the Code of Conduct by Cllr van de Ven. There was insufficient evidence adduced by the Complainant to substantiate the allegations.
Date of final decision:	6 April 2016