

## NOTIFICATION OF DECISIONS RECEIVED FROM THE STANDARDS BOARD FOR ENGLAND

### 1 SUMMARY

- 1.1 Members are invited to consider decisions of the Standards Board for England (SBE) received since the last meeting of this committee and to decide how they wish to deal with such notifications in the future.

### 2 INTRODUCTION

- 2.1 The Monitoring Officer has received notice from SBE of four decisions reached since the last meeting of this committee. In three cases it was decided that no investigation should take place. In the fourth, it was decided that no action be taken, although the SBE did make a recommendation with regard to training for the councillor concerned.
- 2.2 For completeness of the record, information is included in respect of two other notifications received earlier in the year.

### 3 NOTIFICATIONS RECEIVED

- 3.1 The following table provides a synopsis of the complaints made and action taken by the SBE

Date Decision Received	Ref. No.	Nature of allegation	Decision reached by Standards Board
01.04.04	SBE6416.04	That at a Parish/Town Council committee meeting, the Chairman of the Committee told the complainants that they must leave the meeting as they had a prejudicial interest. It is alleged that the Councillor believed that the complainants, who are also District Councillors, had to leave because the meeting was to discuss a possible appeal against a District Council decision, despite the fact that they had declared an interest and withdrawn from the room when the application	Not to be investigated

		was considered at District Council level.	
01.04.04	SBE6417.04	That at a Parish/Town Council meeting, the Chairman of the Council told the complainants that they must leave the meeting as they had a prejudicial interest. It is alleged that the Councillor believed that the complainants, who are also District Councillors, had to leave because the meeting was to discuss a possible appeal against a District Council decision, despite the fact that they had declared an interest and withdrawn from the room when the application was considered at District Council level.	Not to be investigated
15.07.04	SBE7675.04	That on 22.6.04, at meeting of Annual Council, the complainant was personally discriminated against and was deprived of full seat on an O&S Committee.	No indication of unlawful discrimination – allegation will not be investigated.
26.07.04	SBE7735.04	That on 1.7.04 a Chairman, upon being prompted by another councillor, ruled that the Complainant could only ask questions of the police (relating to Group Dispersal Powers under Anti Social Behaviour Act 2003)	Based on information supplied - no failure to comply with Code of Conduct – allegation will not be investigated.
22.09.04	SBE3651.03	A member unlawfully discriminated against others, failed to treat others with respect and brought his office or authority into disrepute	No action needs to be taken. Recommendation by ESO that the councillor would benefit from training on the Race Relations (Amendment) Act 2000 and the obligation of members to have due regard to the need to promote good relations between persons of different racial groups.

24.09.04	SBE8393.04	Complainant alleges that on 8.8.04 a councillor shouted from his window at the complainant's children, including swearing. Also that the councillor refused to come to door when complainant called.	Not to be investigated
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#### 4 MATTERS FOR CONSIDERATION

4.1 Members are asked to consider;

- a) Whether they wish to receive information in every case, including cases when no action is taken or no breach of the Code is found to have occurred?
- b) Should information provided be in the above form or a copy of the notice in full?

4.2 On this occasion a copy of the decision in each case is attached as an exempt appendix to this report. This includes the names of the parties concerned where provided by the SBE.

4.3 On some occasions a full report is supplied to the Monitoring Officer in advance of publication of the public decision notice but marked "private & confidential". In such circumstances, the Monitoring Officer is prevented from disclosing this information under S63 of the Local Government Act 2000.

4.4 Members are reminded that, as of 4 November 2004, the Monitoring Officer will be required to carry out local investigations referred by the SBE. These may result in local determination. During the investigation the Monitoring Officer will normally advise the Standards Committee of the investigation but this will be a very brief summary so as to maintain confidentiality, avoid allegations of prejudice or the perception of prejudice in the Monitoring Officer's investigation and the subsequent Standards Committee's determination.

#### 10 RECOMMENDATION

10.1 It is proposed that the Committee **RESOLVES**

to note the decisions taken to date and determine the level of information it requires with regard to future Standards Board for England decision notices.

John Honey

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**Background Papers:-**

None

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