

Medway Council
Meeting of Councillor Conduct Committee
Monday, 16 December 2013
6.00pm to 6.15pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Mrs Diane Chambers, Paul Godwin, Adrian Gulvin, Hicks (Chairman), Kemp (Vice-Chairman), Royle, Shaw and Smith

In Attendance: Perry Holmes, Assistant Director Legal and Corporate Services/Monitoring Officer
Nicola Smith, Democratic Services Officer

650 Record of meeting

The record of the meeting held on 21 October 2013 were agreed and signed by the Chairman as correct.

651 Apologies for absence

There were none.

652 Urgent matters by reason of special circumstances

There were none.

653 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

654 Local Government Ombudsman's Final Decision: Complaint No CCC/003/2013

The Monitoring Officer introduced the report detailing a recent complaint made to the Local Government Ombudsman about the Council's handling of a complaint against a Member under its Councillor Conduct Committee procedures. The Local Government Ombudsman's final decision was to

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complete the investigation as no evidence of fault was found in the way the Council considered the complaint about the Councillor's conduct.

Decision:

The Committee noted the report.

655 Exclusion of the press and public

Resolved:

That the press and public be excluded from the meeting during consideration of the exempt material relating to agenda item 7 because consideration of these matters in public would disclose information falling within Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 6, and, in all the circumstances of the case, the Committee considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

656 Assessment of Complaint No CCC/004/2013

The Committee considered a complaint regarding Members of a Parish Council that had been received by the Monitoring Officer on 8 November 2013.

The Committee noted that the complaint related to events that must have occurred in 2011 and 2012 when a "fun day" had been held and therefore were likely to be outside the time frame agreed in the Council's complaint assessment criteria unless there were extenuating circumstances. Members considered all the information provided with the complaint including the report of the external auditor and the minutes of the extraordinary meeting of the Parish Council. Members noted that three of the Parish Councillors had now resigned and that the complaint letter specifically said that the remaining Councillor had no involvement with the finances of the fun days in 2011 and 2012. They noted that the Parish Council had commissioned an external audit and examination of financial information relating to the fun days and appeared to have taken into account the findings and were following the recommendations as set out by the auditor.

Decisions:

- a) The Committee decided to take no further action.
- b) The Committee agreed that the Chairman should write to the complainant Parish Council to confirm that the Committee welcomed the approach the Parish Council had latterly taken in seeking an audit investigation and implementing its findings.

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Reason for decisions:

The reason for the decisions was that the complaint related to events more than six months ago and so was outside the assessment criteria agreed timescale for dealing with complaints and there were no extenuating circumstances.

Chairman

Date:

Nicola Smith. Democratic Services Officer

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