

Medway Council
Meeting of Councillor Conduct Committee
Monday, 15 December 2014
6.00pm to 6.05pm

Record of the meeting

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

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

In Attendance: Perry Holmes, Monitoring Officer
Teri Reynolds, Democratic Services Officer

595 Record of meeting

The record of the meeting held on 20 October 2014 was agreed and signed by the Chairman as correct.

596 Apologies for absence

There were none.

597 Urgent matters by reason of special circumstances

There were none.

598 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

599 Procedural guidance for investigations

Discussion:

The Monitoring Officer introduced the report which sought approval of a procedural guidance for investigations into Councillor conduct allegations and a minor amendment of an existing complaints procedure. The Monitoring Officer referred to the tracked change detailed on the last page of Appendix 2, which

Councillor Conduct Committee, 15 December 2014

related to a complainant's ability to refer a matter to the Local Government Ombudsman if the complainant is a member of the public and believe there has been maladministration in the consideration of a complaint. He suggested that the wording detailed in the tracked change should be repeated under the 'appeal' heading of the investigations procedure at Appendix 1.

The committee agreed that this additional amendment should be made to Appendix 1.

Decision:

The committee agreed: -

- (1) the procedural guidance for investigations about councillor conduct allegations under the Localism Act 2011, attached at Appendix 1 to the report, subject to the wording under the 'appeal' heading being deleted and replaced with the following:

"There is no right of appeal by either party against a decision of the Monitoring Officer or of the recommendations of the Councillor Conduct Committee.

There is a right for any complainant, who is a member of the public, to refer the matter to the Local Government Ombudsman (LGO). The LGO does not have any powers to overturn the decision of the committee but may ask the committee to reconsider the matter or change its procedures if there is evidence of maladministration."

- (2) the minor amendments to the Medway Council procedure for dealing with Councillor conduct complaints under the Localism Act 2011, as detailed at Appendix 2 to the report.

Chairman

Date:

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