

AGENDA

Standards Committee

Monday, 20 September 2021 AT 09:30

In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG

APOLOGIES FOR ABSENCE

To receive apologies for absence and notification of substitutions

DECLARATIONS OF INTEREST

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any items on the agenda at this stage.

PUBLIC AND PRESS

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

MINUTES OF PREVIOUS MEETINGS

To note that Council, at its meeting on 20 July 2021, received and adopted the minutes of the meeting held on 31 March 2021. The Chair will sign the minutes.

[Copy Minutes Minute Book 48(1)]

PART A

To be considered when the Public and Press are present

A.1 CODE OF CONDUCT ANNUAL REPORT

5 - 8

The Corporate Director of Governance and Regulatory Services to submit an update, in accordance with the arrangements for dealing with such matters, about complaints which have resulted in a decision that no further action be taken.

(Copy Report GD.61/21 herewith)

PART B

To be considered when the Public and Press are excluded from the meeting

B.1 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF CONDUCT (1)

- Information relating to any individual;

B.2 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF CONDUCT (2)

- Information relating to any individual;

B.3 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF CONDUCT (3)

- Information relating to any individual;

B.4 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF CONDUCT (4)

- Information relating to any individual;

B.5 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF CONDUCT (5)

- Information relating to any individual;

Members of the Standards Committee

Conservative: Mrs Bowman (Chair), Mrs Mallinson, Meller, Mitchelson (sub), Morton (sub), Robson (sub)

Labour: Ms Ellis-Williams (Vice Chair), Dr Tickner, Miss Sherriff (sub), Southward (sub)

Liberal Democrat: Allison

Independent: Bomford

Enquiries, requests for reports, background papers etc to:
committeeservices@carlisle.gov.uk

Report to the Standards Committee

Item
A.1

Meeting Date: 20 September 2021
 Portfolio: Finance, Governance and Resources
 Key Decision: No
 Policy and Budget Framework: Yes
 Public / Private: Public

Title: Code of Conduct Annual report
 Report of: Corporate Director of Governance & Regulatory Services
 Report Number: GD.61/21

Purpose / Summary:

In accordance with the arrangements for dealing with such matters, the Report updates Members of the Standards Committee about complaints which have resulted in a decision that no further action be taken.

Recommendations:

That the Standards Committee receive and note the Report.

Tracking

Executive:	N/A
Scrutiny:	N/A
Council:	N/A

1. BACKGROUND

- 1.1.** Sometimes a person submits a complaint that a Councillor (City or Parish) has breached the relevant Council's Code of Conduct and if the facts of the complaint merit it, the Monitoring Officer may arrange a formal investigation of the complaint.
- 1.2.** If the Investigation Report concludes that there is evidence of a failure to comply with the Code of Conduct then the matter may either be referred to a hearing by the Standards Committee or, alternatively, the Monitoring Officer may attempt to seek a local resolution.
- 1.3.** If the Investigation Report concludes that there is no evidence of a failure to comply with the Code of Conduct then the Monitoring Officer (following consultation with the Chair of the Standards Committee and the Independent Person) may notify parties that no further action is required. This position is then reported to the Standards Committee when it next meets.
- 1.4.** Due to the fact that the investigations indicate that there has not been a failure to comply with the Code, identities of the parties are anonymised for the purposes of this Report.

2. The Complaints (July 2020 to September 2021)

- 2.1.** [Ref 3714] - A complaint was received about an alleged failure to declare an interest by a Parish Councillor and the award of monies by a parish Council to a local organisation. An investigation found that whilst there was a great deal of contradictory background information, the approved minutes of the Parish Council indicated that the funds had been transferred in accordance therewith. This being the case, there had been no failure to declare an interest by the Parish Councillor. No further action.
- 2.2.** [Ref 3755] – A complaint was received that a Parish Councillor had failed to declare an interest in a planning matter. An investigation found that the Parish Councillor had declared an interest as required albeit they could have gone further with their explanation. Advice given but no further action.
- 2.3.** [Ref 4016] – A complaint was received that a Parish Councillor had failed to declare an interest in a planning application. An investigation found that the Parish Councillor had declared an interest as required. No further action.
- 2.4.** For completeness, the Council also received four complaints that City Councillors had not replied to emails (all four had actually replied). The Council also received a complaint that a Councillor should not have submitted a complaint about another

Councillor. All of these matters were deemed not to meet the threshold to warrant a formal investigation.

3. RISKS

3.1. There are no risks arising from this Report.

4. CONSULTATION

4.1. The Chair of the Standards Committee and the Independent Person were consulted as regards each matter reported.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

5.1. To inform members and comply with the arrangements for dealing with standards matters.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1. To uphold ethical standards in local government.

Contact Officer:

Mark Lambert

Ext: 7019

Appendices None.

attached to report:

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS:

LEGAL – The Council and Parish Councils have a legal obligation to maintain a Code of Conduct to which their Members must adhere and the City Council must also have arrangements in place for dealing with such matters.

PROPERTY SERVICES – None.

FINANCE – None.

EQUALITY – All persons re treated equally.

INFORMATION GOVERNANCE – In balancing the Council's commitment to openness and transparency whilst protecting the rights of individuals, the report has been appropriately anonymised.

