

STANDARDS (ASSESSMENT) SUB-COMMITTEE**COMPLAINTS FOR ASSESSMENT****Report of the Monitoring Officer**

Statutory Powers: Local Government Act 2000; Local Government and Public Involvement in Health Act 2007

Financial Implications: There are no financial implications in this report.

Purpose: This report summarises the complaints received in the period since 8th May 2008 which are to be assessed by the sub-committee.

The report is connected with **CP5:** an accessible council, “Working with others to improve access to key services”.

The Issues

This report contains copies of the complaints made against local councillors which are summarised in the table below and set out in full in the appendices to this report.

Members are required to assess each complaint against their adopted criteria and decide in each case to do one of the following things:

- Refer it to the Monitoring Officer for investigation
- Refer it to the Standards Board for England for investigation
- Refer it to the Monitoring Officer for “other action”
- Take no further action.

Summary of Complaints

Complaint no.	Complainant	Subject member	Council
SH01/110608	Mrs R. Lynn	Cllr Julian Brazil	South Hams District Council
SH02/160608	Cllr S. Fairman	Cllr T. James	Sparkwell Parish Council
SH03/180608	Mr C. Egan	Cllr Trevor Pennington	Marldon Parish Council and South Hams District Council

Delyth Jenkins Evans
Monitoring Officer

Standards (Assessment) Sub-committee
22nd July 2008

STANDARDS (ASSESSMENT) SUB-COMMITTEE

Complaint No:

SH01/110608

Complaint of:

Mrs. R. Lynn

8 Fordsworth Cottages, Hallsands, Kingsbridge. TQ7 2EX

Complaint against:

Cllr Julian Brazil

South Hams District Council

Summary of complaint:

That Cllr Brazil was rude to a neighbour of the complainant when she asked him not to park his car in a certain place

Enclosures:

1. Letter from Mrs. Lynn, 11 June 2008
2. Letter from Monitoring Officer 19 June 2008
3. Letter from Mrs. Lynn received 26 June 2008
4. Letter from Monitoring Officer dated 3 July 2008
5. Letter from Mrs Lynn received 9 July 2008

Relevant provisions of the Code of Conduct:

- Para 3(1): treat others with respect
- Para 5: bringing authority into disrepute
- Para 6(a): using position improperly to confer an advantage

STANDARDS (ASSESSMENT) SUB-COMMITTEE

Complaint No:

SH02/160608

Complaint of:

Cllr S. Fairman
16 Hazeldene Close, Lee Mill, Ivybridge. PL21 9EL

Complaint against:

Cllr Tony James
Sparkwell Parish Council

Summary of complaint:

That the subject member, who at the relevant time was Chairman of the parish council,

- failed to declare an interest in an item on the agenda of the council meeting on 12th June 2008
- used his position to perpetuate accusations against the complainant
- behaved in a bullying and intimidating manner
- failed to act so as to uphold the integrity of the parish council

Enclosures:

1. Complaint form
2. Enclosure 1: Extract from minutes of Sparkwell PC 8.5.07
3. Enclosure 2: letter to Kati Owen, planning officer dated 27.5.07
4. Enclosure 3: report of events during and before Sparkwell PC meeting of 13.5.08
5. Enclosure 4: background information
6. Enclosure 5: letter to Sparkwell Parish Councillors dated 8.6.08

Relevant provisions of the Code of Conduct:

- Paras. 8 and 9: declaring a personal interest
- Para 3(1): treat others with respect
- Para 3(2) (b): bullying
- Para 5: bringing authority into disrepute

STANDARDS (ASSESSMENT) SUB-COMMITTEE

Complaint No:

SH03/180608

Complaint of:

Mr. C. Egan

Clapps Cottage, Viallge Road, Marldon, Paignton. TQ3 1SJ

Complaint against:

Cllr T. Pennington

Marldon Parish Council and South Hams District Council

Summary of complaint:

That at a meeting of the Parish Council on 9th June 2008 the subject member –

- Failed to treat people with respect
- Behaved in an intimidating manner
- Damaged the reputation of his office
- Sought improperly to influence a decision

Enclosures:

1. Complaint form
2. Covering letter dated 18.6.08
3. Additional letter to the Standards Board dated 12.3.07 but never sent

Relevant provisions of the Code of Conduct:

- Para 3(1): treat others with respect
- Para 3(2) (b): bullying
- Para 5: bringing authority into disrepute