

EAST HERTS COUNCIL

ANNUAL COUNCIL - 20 MAY 2015

REPORT BY THE MONITORING OFFICER

COMPLAINT IN RESPECT OF A COUNCILLOR

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- *Standards Sub-Committee, at its hearing meeting held on 30 March 2015, considered a report by the Investigating Officer which concluded that Councillor Ashley had breached the Authority's Code of Conduct in relation to the matters identified. The Standards Sub-Committee decided that the Member had failed to comply with the Code and decided that formal censure by motion was appropriate.*

RECOMMENDATION FOR COUNCIL:

(A)	that (former Councillor) William Ashley be censured for his conduct in respect of the matters detailed by the Investigating Officer in his report to the Standards Sub-Committee meeting of 30 March 2015.
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1.0 Background

1.1 The report to the Standards Sub-Committee including the Investigation Officer's report is contained in **Essential Reference Paper 'B'**.

2.0 Report

2.1 The Council has agreed a procedure for considering complaints (**Essential Reference Paper 'C'**)

3.0 Investigating Officer's Report

- 3.1 An investigation officer was appointed to carry out an investigation. Following the investigation, the Investigation Officer concluded that, in all the circumstances of this case, there has been a failure to comply with the Members' Code of Conduct.
- 3.2 The Investigating Officer concluded that Councillor Ashley's conduct fell short of reasonable expectation as to how he should treat his colleagues and that he was using his position as Councillor to pursue that correspondence.
- 3.3 Accordingly, the Investigation Officer found Councillor Ashley to be in breach of the Code of Conduct in relation to that correspondence, in that he did not value colleagues and staff, did not engage with them in an appropriate manner and failed to treat them with respect.
- 3.4 The Sub-Committee considered the following actions:
- A formal letter to the Councillor found to have breached the code;
 - Formal censure by motion;
 - Removal by the authority of the Member from Committee(s) subject to statutory and constitutional requirements;
 - Press release or other appropriate publicity;
 - Request an apology by the Member
- 3.5 The Sub-Committee resolved as follows:
- To issue a formal letter to Councillor Ashley detailing the Sub-Committee's determination that accepted the Investigating Officer's conclusion.
 - Council be invited to pass a formal censure by motion against Councillor Ashley.
 - Councillor Ashley be not appointed to Development Management Committee in the event of seeking re-election to the Authority at the May 2015 elections.
 - As the meeting was public and a press representative was present, no specific press release be issued on this matter.
 - The Monitoring Officer be requested to draft a letter of apology on behalf of Councillor Ashley for him to sign and send to all Development Management Committee members affected by his conduct.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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