

SCHEDULE OF COMPLAINTS

This Schedule separates standards complaints into four categories:

- Complaints subject to formal investigation that do not require a hearing of the Ethical Standards Sub-Committee.
- Complaints subject to proposed informal resolution or other resolution
- Complaints in respect of no further action to be taken at the preliminary stage.
- Other complaints.

Complaints subject to formal investigation that do not require a hearing of the Ethical Standards Sub-Committee

1. Case Reference: MC/02/0517a
Subject Member: Councillors Ian Jones

Allegations concerning community events at Hill Top Park and Radcliffe Park and the indication that Councillor Ian Jones may have included the names of Council officers on official documents as organiser of an event without their knowledge and failure to follow appropriate Council procedures in arranging the events.

The investigating officers' report is attached for information at Appendix 2.

Finding: No breach of Code.

Case Reference: MC/02/0517b
Subject Member: Councillor Olwen Jones

Allegations concerning community events at Hill Top Park and Radcliffe Park and an alleged failure of Councillor Olwen Jones to register her interest as Vice-Chair of Hill Top Community Development Association and failure to follow appropriate Council procedures in arranging the events.

The investigating officers' report is attached for information at Appendix 3.

Finding: Breach of Code.

2. Case Reference: MC/05/0717
Subject Member: Former Councillor Mahboob Hussain

Allegations concerning land sales to the Councillor when displaced from his home by a Compulsory Purchase Order (CPO). In addition, further matters relating to housing allocated to individuals including family members.

The investigating officers' report is attached for information at Appendix 4

Finding: Breach of Code.

3. Case Reference: MC/05/0717
Subject Member: Councillor Babu Singh Bawa

Allegations concerning land sales to the Councillor when displaced from his home by a Compulsory Purchase Order (CPO).

A draft report has been prepared. Councillor Bawa has requested further information. Due to an inaccuracy in the email to the Monitoring Officer there has been a delay in the Maxwellisation process being completed. Councillor Bawa will be provided with a copy of the report and given two weeks for Maxwellisation to be undertaken. The report will be finalised thereafter and reported to the next meeting of the Ethical Standards and Member Development Committee which is due to take place on 7 December 2018.

Finding: To be determined.

4. Case Reference: MC/07/1017(a)
Subject Member: Councillor Eling

A complaint was received concerning alleged "Whats App" texts published on a local blog site entitled "In the Public Domain".

The allegations included disclosure of confidential information and inappropriate and disparaging references to individuals.

The investigating officer's report is attached for information at Appendix 5.

Finding: No breach of Code.

**5. Case References: MC/07/1017(b); MC/08/1017; MC/09/1117
Subject Member: Former Councillor Richard Marshall**

Three complaints including a self-referral from (then) Councillor Richard Marshall concerning alleged "Whats App" texts published on a local blog site entitled "In the Public Domain".

These allegations included disclosure of confidential information and inappropriate and disparaging references to individuals.

The investigating officers reports are attached for information at Appendices, 6, 7 and 8.

Finding: Breach of Code.

Complaints subject to proposed local resolution or other resolution

**6. Case Reference: MC/11/1217
Subject Member: Councillor Ian Jones**

Complaint concerning comments made by Councillor Ian Jones during his appearance before the Ethical Standards Sub-Committee on 1st December 2017 in relation to a named individual which the complainant stated are both defamatory and untrue.

The Monitoring Officer considered the matter and consulted with the Council's Independent Person. As a result the Monitoring Officer determined that this was a matter that could be dealt with by way of informal resolution, namely by way of apology from Councillor Jones to the complainant. This was because the statement made by Councillor Jones contained unfounded allegations that had no relevance to the Code of Conduct Complaint that the Sub-Committee was dealing with on 1 December 2017 in relation to Councillor Jones' own conduct; and also such comments were made at a public hearing where the complainant was not present and unable to respond.

Councillor Jones has refused to apologise for the comments made.

Paragraph 8.1 of the arrangements for dealing with standards allegations under the Localism Act 2011 provides that if a member fails to comply with the local resolution within the timescales set the matter will be referred to the Standards Committee and full Council for information.

7. Case Reference: MC/06/0817

Two separate, but related allegations concerning failure to declare an interest at a Planning Committee in relation to a local company who the Councillor in question had solicited donations from for the benefit of a local organisation.

Following preliminary enquiries the Monitoring Officer, having consulted with the Council's Independent Person, determined that the matter should be dealt with by way of advice to the Member concerned in relation to declarations of interests and no formal investigation was necessary.

Complaints in respect of which no further action is to be taken at the preliminary stage

8. Case Reference: MC/18/0318

Allegations concerning failure by the subject Councillor to attend a meeting with the complainant at a local school and failure to assist the complainant in relation to various aspects of his complaint concerning the school.

Following preliminary enquiries, the Monitoring officer, having consulted with the Council's Independent Person, determined that the complaint did not merit formal investigation and no further action was necessary in relation to the complaint.

9. Case Reference: MC/01/0618

Allegations concerning Committee and Cabinet decision making in 2012, 2013 and 2017 in relation to a Legal Options Agreement concerning a proposed land development.

Following preliminary enquiries which included consideration of a due diligence exercise undertaken in relation to the history of the matter, and the obtaining of Counsel's advice, the Monitoring Officer, having consulted with the Council's Independent Person, determined that the complaint did not merit formal investigation and no further action was necessary in relation to the complaint.

10. Case Reference: MC/10/1117

Subject Members: Former Councillor Marshall and Councillor Eling

There is nexus of fact and law in respect of this complaint which overlaps with complaint references: MC/07/1017, MC/08/1017 and MC/09/11/17.

The complaint principally covers the same evidential material and issues raised in the three separate complaints referred to above. The Monitoring Officer in consultation with the Council's Independent Person determined that no further investigation was necessary and to do so would simply be a duplication of the investigatory work already undertaken and lead to the unnecessary expenditure of Council funds and resources. The Monitoring Officer was of the view that any public interest in ensuring this complaint had been properly and fairly considered and determined had been achieved through the detailed investigations of the three complaints referred to above.

The Monitoring Officer acknowledged that this complaint included three additional matters which did not fall within the scope of the original complaints and had determined that no further action was required in relation to these.

Other Complaints

11. There is one matter currently the subject of a formal investigation in accordance with the arrangements for dealing with standards allegations under the Localism Act 2011 and will be considered further by the Monitoring Officer once the investigation has been concluded.

Overall

There are currently two live matters outstanding.