

Not for publication by virtue of paragraph 1 of Schedule 12A of the Local Government Act 1972.

COMPLAINT AGAINST COUNCILLOR O’SULLIVAN AND COUNCILLOR BRISTOW

Accountable Officer and Author: Mark Jones - Head of Legal and Property Services – MK252962

1. Purpose

1.1 To consider whether to investigate a complaint against a Councillor for breach of the National or Local Codes of Conduct for Members of the Council.

2. Summary

2.1 A complaint has been received against the named Councillors. The Standards Committee needs to decide whether the complaint should be investigated and if so how the investigation should be conducted.

3. Recommendations

3.1 That the Committee decides whether, and if so how, it wishes to deal with the complaint against Councillor O’Sullivan and Councillor Bristow

4. **Background**

- 4.1 At the Council meeting on 23 November 1999 Councillor I Henderson made certain allegations about the conduct of senior Labour Group members in allegedly meeting representatives of developers without officers present.

On the 29 November 1999 Councillor Henderson wrote to the Head of Legal and Property Services complaining about the conduct of Councillors O'Sullivan and Bristow. She alleged breaches of paragraphs 4.3 and 6.3.i. of the local code of conduct for planning matters. A copy of the relevant correspondence is attached at **Annex A**.

5. **Issues and Choices**

- 5.1 Paragraph 4.3 of the Local Planning Code of Conduct states:

".....Members should avoid becoming associated in the public mind with representatives of the development industry , such as landowners, builders, agents or Planning consultants. A consistent record of supporting a particular applicant or agent, contrary to the Council's adopted Planning policies, could be seen as evidence of a private interest or connection."

- 5.2 Paragraph 6.3.i. states:

"If Members do agree to meet lobbyists they should observe the following protocol:

Members should only meet applicants, agents or third parties in the presence of a Planning Officer. In exceptional circumstances, where it is not possible to arrange a meeting in the presence of a Planning Officer without causing undue delay, Members should notify the relevant Planning Officer of the proposed meeting beforehand and the notification should be recorded in the application file."

- 5.3 A copy of the full Planning Code of Conduct is attached at **Annex B** as this may assist the Committee to understand the context of the paragraphs referred to above.
- 5.4 The Committee will see from the correspondence in **Annex A** that Councillors O'Sullivan and Bristow are unclear what they are being accused of, though Councillor Henderson thinks that they have enough information to understand the complaint made against them.

6. **Implications**

- 6.1 Environmental

None.

- 6.2 Equalities

None.

- 6.3 Financial

None.

6.4 Legal

None.

6.5 Staff and Accommodation

None.

7. **Conclusions**

7.1 The Standards Committee will need to decide whether it is appropriate to investigate this complaint and if so how to deal with the investigation.

Background Papers: None