

STANDARDS COMMITTEE

24 November 2010

Outcome of Standards Hearing Sub-Committee - Complaint against Councillor Ludlow

Purpose of Report

1. To report the outcome of a hearing by the Standards Hearing Sub-Committee which was held on 14th October 2010 to consider an allegation of a breach of the Code of Conduct for Members.

Background

2. On 7th July 2009 the Monitoring Officer of Wiltshire Council received a complaint from Mr Martin Paver regarding the alleged conduct of Councillor Kenneth Ludlow, a member of Winterslow Parish Council. The complaint alleged that at a meeting of Winterslow Parish Council on the 11th May 2009 Councillor Ludlow breached the Code of Conduct by failing to declare a personal or prejudicial interest in Mr Paver's planning application, remained in the meeting to discuss and vote on the application, and that Councillor Ludlow's actions brought his office or authority into disrepute.
3. The Standards Hearing Sub-Committee met on 14th October 2010 to determine the complaint. A copy of the decision notice is attached as an appendix.
4. The Chairman and members of the Sub-Committee may wish to comment on the hearing at the meeting.

Main Considerations for the Committee.

5. The Standards Committee has set a target time of 6 months from the Assessment Sub Committee's referral of a complaint for investigation to the completion of the investigation and issuing a final report. In this case, the complaint was referred for investigation on 10th August 2009 and the final report was issued on 13th July 2010.
6. The delay in this investigation was due initially to delay in the appointment of investigators within the Governance team following the transition to unitary status, and subsequently as a result of Councillor Ludlow being out of the country between January and April 2010, which

meant that the draft report could not be finalised.

7. Four interviews were carried out during this investigation. Three of the interviews were carried out over the telephone.
8. The Standards Committee has set a target of three months from the issuing of the final report to the determination of the case by a Hearing Sub-Committee. The final report was issued on the 13th July 2010 and the Standards Hearing Sub Committee met on the 14th October 2010, missing the target by one day. The pre-hearing process that has to be undertaken within the three month target leaves little room for delay and difficulties may arise when arranging the hearing date e.g. availability of a suitable venue, availability of staff, committee members, the subject member and any witnesses.
9. Members will note that by way of sanction the Sub-Committee decided to impose a requirement for Councillor Ludlow to undertake training on the Code of Conduct, and also recommended that this should be extended to the clerk and all members of Winterslow Parish Council to ensure consistency in the knowledge and application of the requirements of the Code.
10. We are currently arranging a date for the training with the clerk to the Parish Council. Councillor Ludlow has agreed that we may use this case as a case study.

Proposal

11. The Standards Committee is asked to note the outcome of this matter.

Training and Communications Issues Arising

12. Training on the Code of Conduct Councillor is to be provided to Councillor Ludlow and Winterslow Parish Council.

Risks

10. There are no risks associated with the proposals made in the report.

Ian Gibbons
Monitoring Officer

Report Author: Roger Wiltshire, Ethical Governance Officer.

