

WILTSHIRE COUNCIL

STANDARDS HEARING SUB-COMMITTEE

5 July 2010

Consideration of an Investigator's report

**Complaint regarding the alleged conduct of Councillor Maurice Flanagan –
Dilton Marsh Parish Council**

1. On 15 October 2009 the Monitoring Officer of Wiltshire Council received a complaint from Mr Edward Whiting regarding the alleged conduct of Councillor Maurice Flanagan, a member of Dilton Marsh Parish Council. The complaint is included within the Investigator's report at **Appendix A** (pages 22-25 of the Schedule of Evidence).
2. The complaint concerns allegations that Councillor Flanagan has failed to comply with the statutory requirement to register his interests within 28 days of assuming office as a member of Dilton Marsh Parish Council.
3. The complainant alleges that Councillor Flanagan's behaviour breached paragraph 13(1) of the Code of Conduct:

13 - (1) subject to paragraph 14, you must, within 28 days of-

- a. this Code being adopted by or applied to your authority;
or
- b. your election or appointment to officer (where that is later),

register in your authority's register of members interests....details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a) by providing written notification to your authority's monitoring officer.

4. Dilton Marsh Parish Council has adopted the Model Code of Conduct for Members including paragraph 12 (2) (**enclosed**).
5. On 19 November 2009, the Standards Assessment Sub-Committee of Wiltshire Council considered the complaint regarding Councillor Flanagan. In accordance with section 57A(2) of the Local Government Act 2000 as amended, the Assessment Sub-Committee decided that the complaint should be referred to the Monitoring Officer for investigation.

6. The Monitoring Officer delegated his investigatory powers to Mrs Marie Lindsay, Ethical Governance Officer, pursuant to section 82A of the Local Government Act 2000. An extract from the Investigator's report is enclosed at **Appendix A**.
7. The Investigator's report found that there **has** been a breach of paragraph 13(1) of the Code of Conduct.
8. On 15 April 2010 the Investigator's report went before the Standards Consideration Sub-Committee. The Sub-Committee considered the alleged breach of paragraph 13(1) of the Code of Conduct as set out in point 3 above. The Sub-Committee agreed that the matter should be referred to a Standards Committee Hearing for determination, pursuant to paragraph 17 (1) (b) of the Standards Committee (England) Regulations 2008.
9. The Hearing Sub-Committee is therefore required to determine whether Councillor Flanagan breached paragraph 13(1) of the Code of Conduct.

Ian Gibbons, Monitoring Officer

Report Author: Marie Lindsay, Ethical Governance Officer

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Date of report: 16 June 2010

Background Papers

Final Investigation Report – 9 March 2010