

## WILTSHIRE COUNCIL

### STANDARDS COMMITTEE DETERMINATION

#### SUMMARY DECISION NOTICE

<b>Date of Determination</b>	05 <sup>th</sup> July 2010
<b>Member</b>	Councillor Maurice Flanagan
<b>Authority</b>	Dilton Marsh Parish Council
<b>Reference</b>	WC 38/09

On 05 July 2010 the Hearing Sub-Committee of Wiltshire Council's Standards Committee met to consider an investigation report on a complaint that Councillor Maurice Flanagan had failed to comply with the Model Code of Conduct for Members, adopted by the Dilton Marsh Parish Council.

The complaint alleged that Councillor Flanagan has failed to comply with the statutory requirement, in paragraph 13 (1) of the Code of Conduct, to register his interests within 28 days of his appointment as a member of Dilton Marsh Parish Council.

#### **Findings of Fact (Stage 1)**

The Standards Hearing Sub-Committee made the following findings of fact:

- 1) Cllr Maurice Flanagan was co-opted to Dilton Marsh Parish Council on 16<sup>th</sup> October 2008 and signed the Declaration of Acceptance of Office form, which included an undertaking to abide by the Code of Conduct from that date onwards.
- 2) He submitted a Register of Interests form to the Monitoring officer of West Wiltshire District Council in March/April 2009.
- 3) A degree of confusion surrounded the process for submitting Register of Interests at to town and parish councils at the material time.
- 4) Councillor Flanagan submitted a fresh Register of Interests of his own volition on 15 March 2010.

## **Decision on a possible breach of the Code of Conduct (Stage 2)**

The sub-Committee found:

- 1) That upon his appointment as a Parish Councillor on the 16<sup>th</sup> October 2008 to Dilton Marsh Parish Council, Councillor Flanagan was subject to the Council's Code of Conduct.
- 2) On the basis of the above findings of fact, Cllr Flanagan failed to submit a written notification of his registerable interests to the Monitoring officer within 28 days of his appointment, in breach of the Council's Code of Conduct, specifically paragraph 13 (1).

## **Sanction (Stage 3)**

- 1) The Sub-Committee wished to be clear that compliance with the Code of Conduct is important to members at all levels.
- 2) The Sub-Committee took into account the facts of the case, the investigation process, which is stressful for all who are involved, and the arguments presented in mitigation and concluded that as this is a technical breach of the code, no further action will be taken.
- 3) The sub-Committee recommended that the Standards Committee notes the investigator's report with regard to the procedures surrounding Register of Interests submissions, and undertakes a review of these, highlighting the importance of the Code of Conduct and, in particular, the importance of registering personal interests.

A copy of the full decision may be obtained from the Clerk to the standards Sub-Committee, Liam Paul, Democratic Services, Wiltshire Council, BA14 8JN.