

CONDUCT COMMITTEE

26 OCTOBER 2012

REPORT OF THE HEAD OF RESOURCE MANAGEMENT

A.1 ALLEGATION OF FAILURE TO COMPLY WITH THE CODE OF CONDUCT
COMPLAINT NUMBERS 01/2012 AND 02/2012
(Report prepared by Mike Gibson-Davies)

1.0 PURPOSE OF THE REPORT

To determine the above complaints.

2.0 BACKGROUND

At the full Council meeting on 22 May 2012, Councillor Halliday (the "Member") answered another Councillor's question about the Cabinet decision on 18 April 2012 not to make some land owned by Tendring District Council (TDC) available to the Willow Tree Day Nursery for use as a car park. The complaints allege misconduct by the Member during the meeting.

3.0 THE COMPLAINTS

Three written complaints were received on 23 May 2012, 28 May 2012 and 12 June 2012 respectively. A brief summary of them is contained in report B.1 to this Committee meeting. As explained in that report, the first two complaints have been given reference 01/2012 and the third complaint reference 02/2012.

4.0 THE INVESTIGATION

The Conduct Committee met on 22 August 2012 and referred the complaints to the Independent Panel (IPan) for investigation. Two members of IPan carried out the investigation and interviewed the first complainant and the Member separately on 1 October 2012. IPan finalised its findings and recommendations to the Conduct Committee on 8 October 2012.

5.0 PRESENTATION OF IPAN'S FINDINGS AND INVESTIGATIONS

Item 6 on the agenda is a proposed resolution to exclude the press and public to consider report B.1 and a brief presentation of IPan's findings and recommendations.

RECOMMENDATION

That the Committee determines the above complaints.