

SLOUGH BOROUGH COUNCIL

REPORT TO: Standards (Determination) Sub-Committee **DATE:** 31st March 2010

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WARDS: N/A

PART I

FOR DECISION

ALLEGED BREACH OF LOCAL CODE OF CONDUCT – PARISH COUNCILLOR LAURIE TUCKER

1. Purpose of Report

- 1.1 The purpose of this report is to submit for consideration the Council's Investigating Officer's report on the results of her investigation into a complaint that Parish Councillor Laurie Tucker has failed to comply with the Local Code of Conduct for Members (**Appendix A**) and Councillor Tucker's response thereto.

2. Recommendation/Action Required

- 2.1 The Sub-Committee is asked to consider the Investigating Officer's report and decide what further action, if any, is required.

3. Community Strategy Priorities

- 3.1 It is important that the public have confidence in all Members of the Council who are duty bound to abide by the provisions contained in the Local Code of Conduct for Members and the Council's own Ethical Framework. Furthermore, it is for the benefit of all Members that complaints made against them are fully investigated and dealt with in accordance with the procedure laid down by the Standards Board for England.

4. Other Implications

- 4.1 There are no direct financial or staffing implications arising out of this report. The process of hearing and determining the allegation will be in accordance with the requirements of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 (as amended) and guidance issued by the Standards Board for England. Any potential human rights issues which might arise are addressed and provided for in the hearing procedure.

5. Background Information

- 5.1 On 16th September 2009 the Standards (Assessment) Sub-Committee referred to the Council's Monitoring Officer for investigation a complaint that Parish Councillor Laurie Tucker had failed to comply with the Local Code of Conduct. In accordance with the arrangement agreed by the Standards Committee, the Monitoring Officer delegated the conduct of the investigation to Kuldip Channa, Assistant Solicitor (Litigation) i.e. the Investigating Officer.
- 5.2 The general summary of the complaint against Councillor Tucker is that
- (a) he failed to declare a personal and prejudicial interest when Colnbrook with Poyle Parish Council considered an application for planning permission submitted in respect of 4 Daventry Close at its meetings on 10th April and 16th October 2007 and when the Parish Council considered the appeal in July 2008 and further did not withdraw from the meetings contrary to paragraphs 10 and 12 of the Parish Council's Code of Conduct ; and
 - (b) he breached paragraph 4 of the Code of Conduct by disclosing planning documents sent in confidence to the Parish Council.
- 5.3 The complaint has been made by Mr and Mrs Leybourne of 4 Daventry Close, Colnbrook, Slough.
- 5.4 To simplify the hearing process Councillor Tucker has been asked to complete and return the following pre-hearing forms:

Form A – Identification of any disputes of fact

Form B – Other Evidence to be taken into account at the hearing

Form C – Representations as to actions to be taken in respect of any breach of the Code

Form D – Arrangements for the Standards (Determination) Sub-Committee Hearing

Form E – Details of any witnesses to be called.

Councillor Tucker has completed and returned Forms A; C; D and E which are attached as **Appendix B**.

- 5.6 Enclosed for your attention and/or information are the following documents:

<u>Appendix</u>	<u>Document</u>
Appendix A	Investigating Officer's Report
Appendix B	Pre-hearing forms submitted by Councillor Tucker
Appendix C	Procedure for the hearing
Appendix D	Standards Board advice on admission of press and public
Appendix E	Categories of "exempt information"
Appendix F	Sanctions available to the Sub-Committee

5.2 The procedure for the hearing will be as set out in **Appendix C** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Steven Quayle, Borough Secretary and Solicitor.

6. Conclusion

6.1 The Sub-Committee is asked to consider the evidence presented and come to a decision as to what action, if any, should be taken in respect of this matter.