

<b>MEETING:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 April 2015</b>
<b>TITLE:</b>	<b>Report by the Monitoring Officer on an investigation into a complaint made against Councillor Julian Kirkham, Arthog Community Council</b>
<b>AUTHOR:</b>	<b>Senior Solicitor</b>
<b>ACTION:</b>	<b>Final Determination on a report prepared by the Monitoring Officer</b>

## **Background**

1. Following a complaint to the Public Services Ombudsman for Wales that Councillor Kirkham had breached the code of conduct for members, the matter was referred to the Monitoring Officer for investigation and consideration by the Standards Committee.

2. In accordance with the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 ("the Regulations"), the Committee considered the Ombudsman's report in its meeting on the 26 January 2015. It came to the conclusion that Councillor Kirkham should be given the opportunity to make representations, either orally or in writing in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the authority's code of conduct.

3. The procedure for dealing with allegations made against Councillors and referred to this Committee is set out in the Appendix A to this report.

## **The Monitoring Officer's Investigation Report**

4. Members are asked to consider the Monitoring Officer's report (Appendix B) and the written representations submitted by Councillor Kirkham (Appendix C).

## **Recommendations**

5. That the Committee consider the complaints against Cllr. Kirkham in accordance with the Hearings Procedure and to come to one of the decisions that the regulations allow. The Regulations (reg.9) provide that, after hearing any representations, the Committee must come to one of the following decisions:

(a) that there is no evidence of any failure to comply with the authority's code of conduct and that therefore no action needs to be taken in respect of the matters which are the subject of the investigation;

(b) that the member has failed to comply with the authority's code of conduct but that no action needs to be taken in respect of that failure;

(c ) that the member of the authority has failed to comply with the authority's code of conduct and should be censured, or

(d) that the member of the authority has failed to comply with the authority's code of conduct and should be suspended or partially suspended from being a member of that authority for a period not exceeding six months.