

Monitoring Officer (Tendring District Council)

Decision Notice

This Decision records the outcome of the Decision taken by the district Council's Monitoring Officer on 9th January 2014 in accordance with the Tendring District Council's arrangements for dealing with an allegation that an elected member has failed to comply with the Members' Code of Conduct.

These arrangements were approved by full Council on 26th November 2013.

Councillor:	Simon Carlsson Browne of Alresford Parish Council
Complainant:	Jane Lee
Relevant Paragraph(s) of the Members' Code of Conduct:	All paragraphs of the Code of Conduct are alleged to have been breached in addition to the interest provisions.
Summary of Complaint:	Lack of consultation and declaration of interests in relation to the allocation of sites within the District Council's Draft Local Plan. The public were not made aware of the St. Andrew's Site option which it is alleged was suppressed from consultation. The use of Cockaynes Lane was not communicated and Councillor Carlsson Browne lives in St. Andrew's Close. As the Councillor was chairman of the Planning Committee he had a responsibility to ensure consultation was undertaken with residents on the content of the draft local plan.
Councillors Response:	Planning Committee Meetings were held in November and December 2012, the first being inquorate therefore a second meeting was called to ratify the decision and approve the submission to by APC to TDC. Meetings were properly advertised.
Monitoring Officer Recommendation:	Due to the content of the complaint it is reasonable and appropriate that this matter merits further investigation.
Relevant Paragraph of Complaints Procedure and assessment criteria:	4.1, 4.2 and 4.3
Reasons for Decision:	Both parties' comments have been sought and it is necessary for an investigation to be carried out to ascertain whether interests were properly disclosed and subsequently declared at the relevant meetings where matters are being discussed. Additional information is required to assess the position and will

	<p>become available through an independent investigation. Due to the public interest and a potential breach of the Code of Conduct, it is not appropriate to take no further action or seek informal resolution, due to the nature of the allegation.</p> <p>The Independent Person has been consulted and agrees with the approach to be followed and decision of the Monitoring Officer that further investigation is required.</p>
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Signed:

Dated:

Monitoring Officer