

INITIAL ASSESSMENT OF COMPLAINT

DECISION NOTICE

Subject Member: Cllr John Clark

Background

1. A complaint was received on 27 May 2016 from Cllr Alan Lay ("the Complainant") supported by Cllr Paul Clapp alleging that Cllr Clark ("the Subject Member") and others had failed to declare an interest at a meeting of the Economy and Environment Committee on 24 May 2016.
2. The complaint was put on hold pending associated investigations but resumed once it was determined that neither the complaint nor the investigations would be compromised.

Summary of the Allegations

3. The Complainant alleged that the Subject Member has a business relationship with the Fenland Association of Community Transport ("FACT") as his business(es) carry out MOT's and repairs for FACT. He alleged this was not declared at the meeting of the Economy and Environment Committee on 24 May 2016.
4. The Complainant further alleged that any business relationship between the Subject Member and FACT would be inappropriate.

Evidence Considered

5. The following documents were considered for the purposes of this complaint:-
 - a) Email dated 27 May 2016 and the attachment titled "Serious doubts re undeclared pecuniary interests of some Councillors" from the Complainant to Quentin Baker as Monitoring Officer;
 - b) Subject Member's Register of Interests;
 - c) Minutes of the meeting of 24 May 2016;
 - d) Letter Subject Member to Quentin Baker dated 15 June 2016;
 - e) Members Code of Conduct

Jurisdiction

6. For a complaint to be considered in connection with the Member's Code of Conduct, the following test must be satisfied:
 - a) the complaint was made against a person who, at the time the alleged action took place, was a member of Cambridgeshire County Council; and
 - b) the Subject Member had signed up to the Members' Code of Conduct in force at the time the alleged action took place; and
 - c) the Subject Member was conducting the business of their authority or acting, claiming to act or giving the impression of acting as a representative of the authority.
7. The Independent Person has concluded all three limbs of this test are satisfied in this matter.

Initial Assessment Decision

8. The Independent Person has considered whether the actions of the Subject Member described in paragraphs 3 and 4 above constitute a breach of the following provisions of the Members' Code of Conduct:

