

West Berkshire District Council

(Parish Councillor Failing to Follow Code of Conduct and Penalty Set)

A formal complaint was made to West Berkshire Council's Monitoring Officer against Councillor Julian Earl (Stratfield Mortimer Parish Council). The Council's Monitoring Officer, in consultation with the Independent Person undertook an initial assessment of the complaint.

At a meeting held on 21 August 2014, having taken into account the complaint, information supplied by the clerk, and a response from the subject member the Monitoring Officer in consultation with the Independent Person found that Councillor Earl failed to comply with the Parish Council's Code of Conduct.

The failure was as follows:

Councillor Earl breached the Code of Conduct by failing to register an interest on his Register of Interests form within the prescribed 28 day period. The breach occurred for the period January 2013 to June 2014. As the breach had subsequently been rectified it was inappropriate to refer the matter to the Police particularly in view of the disclosures made by Councillor Earl at various meetings which were recorded in the minutes.

It was agreed that a notice of the breach should be placed in a local newspaper.

The reason for the decision was that Councillor Earl had failed to disclose his association with Mortimer Music Live on his Register of Interest form thereby breaching Stratfield Mortimer Parish Council's Code of Conduct by failing to register a Disclosable Pecuniary Interest or Other Interest. The Localism Act does not provide any appeals mechanism to review this decision. However the decision may be reviewed by means of an application to the High Court for Judicial Review of the decision.

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