

AGENDA ITEM NO. 8
Conduct Committee

Date **7 November 2013**

Title **Member Conduct Complaint – Councillor Archer**

1. PURPOSE/SUMMARY

To consider complaints under the member code of Conduct against Councillor Archer.

2. KEY ISSUES

- Three complaints have been raised about the Conduct of Councillor Archer. These have been submitted by Councillors Jolley, Emery and Woodard of Manea Parish Council
- Councillor Archer has been offered the opportunity to provide an initial written response to the complaints; and has indicated that he is content for them to be considered by the Committee.
- The Conduct Committee is asked to consider the complaints and determine if they disclose a likely breach of the member code of conduct.

3. RECOMMENDATION(S)

Members consider the complaints and response and determine the initial consideration of the complaints.

Wards Affected	All
Forward Plan Reference No. (if applicable)	NA
Portfolio Holder(s)	
Report Originator	Alan Pain, Corporate Director and Monitoring Officer
Contact Officer(s)	Alan Pain, Corporate Director and Monitoring Officer Tom Lewis, Principle Solicitor and Deputy Monitoring Officer
Background Paper(s)	

1. BACKGROUND/INTRODUCTION

Councillor Jolley submitted a complaint about the conduct of Councillor Archer on 30th September.

Councillor Woodard submitted a complaint about the conduct of Councillor Archer on 30th September.

Councillor Emery submitted a complaint about the conduct of Councillor Archer on 7th October.

Councillor Archer has been provided with the above complaints and offered the opportunity to respond; he has indicated that he is content for the Committee to consider the complaints.

2. CONSIDERATIONS

Members must consider the complaint against the member code of conduct.

Members must consider whether or not there is a reasonable prospect of the complaint being proven based on the information held. In considering this members are to be aware of the fact that should an investigation occur further evidence or detail can be sought.

Members are advised that where a complaint contains a number of elements they may choose to consider each element separately or take the whole complaint together.

Where members consider that there is a reasonable prospect that a breach of the code of conduct has occurred they should give consideration as to whether or not there should be an investigation of the complaint.

Members should consider the following points in determining whether an investigation should occur:

- Has the Complaint already been investigated, or is it already the subject of investigation?
- Is the Complaint more appropriately dealt with through another regulatory channel?
- Is the complaint about something which happened so long ago that there would be little benefit in taking action now?
- Is the complaint too trivial to warrant further action?
- Does the complaint appear to be malicious or simply tit for tat?

Where members consider that an investigation is appropriate the Monitoring Officer will be asked to make suitable arrangements for such an investigation. Members are asked to give any particular comments on the scope or direction of the investigation.

If members do not consider that there is a potential breach of the code of conduct or that there is no reasonable prospect of any breach being disclosed or that the complaint does not merit further investigation then no further action is taken in respect of the complaint save for notifying the member and the complainant.

From: steveandwendyemery@tiscali.co.uk [steveandwendyemery@tiscali.co.uk]
Sent: 07 October 2013 20:31
To: Alan Pain
Subject: RE: Member Conduct Complaint

Hi Alan,

Further to our telephone conversation of Friday 4th September, and after much deliberation, i feel it only right that i should report Councillor Mark Archer for his argumentative attitude at our last Parish Council meeting on the 16th September. After being absent from parish council meetings since April obviously decisions had been made by the remaining parish councillors, one of which councillor Archer disagreed with. At the September meeting he continually tried to reverse a decision, even though it was reached unanimously by the remaining councillors in his absence. His attitude during the discussion was very aggressive, to the point of trying to bully us into overturning this decision. This is not the first time councillor Archer has missed meetings and then tried to reverse decisions made by fellow councillors.

He showed a total lack of respect for his fellow councillors, and indeed to me, and not for the first time. At one point i did have to address Mr Archer, and ask him to show me more respect, as i felt his attitude during the discussion was extremely disrespectful for a councillor.

I feel these actions are in breach of the Code of Conduct, and are unbecoming of a parish councillor, or indeed a district councillor.

I remain

Yours Faithfully,
Steve Emery, MPC

Chairman.

From: Ian Woodard <ianmwoodard@gmail.com>
Sent: 30 September 2013 10:39
To: Alan Pain
Subject: re the conduct of Cllr MARK ARCHER on Monday 23rd September 2013

hi alan

further to our telephone conversation on Monday 30th September 2013

after MANEA PARISH COUNCEL MEETING

I was approached while walking(wheelchair) home by CLLR MARK ARCHER in which from his car with his window down he told me he had put a complaint in about CLLR JOLLEY and CLLR EMERY for telling CLLR ALAN FIELDING not to mention an alleged illegal building he then told me I better not know anything about this or else I took this as a direct threat to myself .

I would class this as a bullying attempt ! my wife Sabrina was with me at the time this happened.

At this point I would like to point out that I was told by CLLR FIELDING that a parishioner had mentioned this matter to him

Before the meeting on 17th june2013 the council visited MANEA pit I attended I had intended to attend the meeting that night

at village hall we got to the hall at 6.45 pm and had to wait for anther meeting to finish this was between F.D.C. Cllr DAVID CONNER Charlmont residents I was outside waiting to go into the meeting but my legs would not work for me so my wife Sabrina fetched my wheelchair out for me and gave my apologies at no time did anybody go into the village hall kitchen as I was sat outside Cllr MARK ARCHER was not at the meeting so how can he say what happened at that meeting !

I feel Cllr MARK ARCHER has a vendetta against several of the parish Cllr's

He showed disrespect at the SEPTEMER meeting to the chairman wanting to go back over item which had been passed at previous MANEA COUNCIL meetings which he did not attend, the atmosphere was very poor!

please do contact myself if you need further info

yours

Cllr IAN WOODARD
MANEA PARISH COUNCIL



mark archer

I see Cllr Pop Jolley held a secrete public consultation this week about his housing scheme, months after he submitted his application!

PAUL JOLLEY

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Manea.
Cambs.
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30th September 2013

Mr. Alan Pain
Monitoring Officer
Fenland District Council

Morning Alan

Reference: Code of Conduct complaint against Cllr Mark Archer.

I wish to make a formal complaint against Cllr Mark Archer. He placed on "Twitter" that I had a secret public consultation meeting on a proposed Manea Housing Development. I am assured by my Agent that this was advertised 14 days prior to the meeting and notices were placed on the Village Church rooms notice board.

I feel this is embarrassing and hurtful and not what you would expect from a fellow Councillor and that it was totally untrue and it is bringing Fenland District Council and Manea Parish Council into disrepute.

Please find enclosed a copy of what was said on "Twitter".

Yours sincerely



Paul Jolley