

Complaint Ref:	NPC5/14
Report to be considered by:	Governance and Ethics Committee
Date of Meeting:	03 September 2015
Purpose of Report:	To consider the Investigator's report about the complaint in association with: Newbury Town Council (<i>complainant</i>) in respect of Councillor Ruwan Uduwera-Perera (<i>subject members</i>) NPC5/14
Recommended Action:	The Governance and Ethics Committee is asked to consider: a) Whether or not they agree with the findings of the Investigator in relation to the complaint; b) If they agree with the investigators' report the nature of any sanctions that should be applied. c) If they disagree with the Investigator's conclusions set out the reasons for doing so.
Paragraphs of Newbury Town Council's Code of Conduct that the complaint might relate to: He/she shall behave in such a way that a reasonable person would regard as respectful. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.	

Monitoring Officer's Details	
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Monitoring Officer's Report

1. Introduction

- 1.1 NPC5/14 refers to a complaint made by Newbury Town Council which alleges that Councillor Ruwan Uduwera-Perera, whilst Deputy Leader of the Town Council behaved in a disrespectful manner towards two employees of the Town Council: Mr Graham Hunt and Mr Granville Taylor.
- 1.2 Following an Initial Assessment by the Monitoring Officer in consultation with one of the Council's Independent Persons Ms Liz Howlett of ejhegal was appointed to investigate the matter on behalf of West Berkshire Council. Ms Howlett's final report was received by West Berkshire Council on 29 July 2015.
- 1.3 The independent investigator concluded that there was evidence of a breach, under the revised localism arrangements.
- 1.4 The Advisory Panel met on the 13 August 2015 to consider if it concurred, based on the information set out in the report, with the Investigator's conclusion. The Advisory Panel were then required to make a recommendation to the Governance and Ethics Committee to make a final determination on the matter.
- 1.5 The Advisory Panel concurred with Ms Howlett's report and believed there to be evidence of a breach in respect of NPC5/14.
- 1.6 The Advisory Panel recommendation is set out in the attached Decision Notice.

2. Conclusion

- 2.1 The Governance and Ethics Committee are required to decide:
 - a) If they concur with the Investigator's findings that there was a failure by the Subject Member to comply with Newbury Town Council's Code of Conduct and whether or not they agree with the recommendation of the Advisory Panel.
 - b) If the Committee agree with the Investigator's conclusions to determine the sanctions to be imposed as regards the Subject Member or
 - c) If they do not agree with the Investigator's conclusions their reasons for doing so

Appendices

- Appendix A - Investigator's Report
- Appendix B – Original Complaint NPC5/14
- Appendix C – Response from Subject Member
- Appendix D – Initial Assessment Notice
- Appendix E – Advisory Panel Decision Notice
- Appendix F – Newbury Town Council's Code of Conduct