



Complaints received against members for the year 1 April 2025 to 31 March 2026

Summary

1. The Authority has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members. To this end we have collected data about the number and type of complaints received against Members during the year 1 April 2025 to 31 March 2026. This report identifies the areas of complaint and suggests actions to improve performance for the coming year.

Recommendations:

- a **Members note complaints made against Members during the period 1 April 2025 to 31 March 2026; and**
- b **Members make suggestions to promote and maintain high standards of conduct by members of the Authority.**

Background

2. At a meeting of the Authority Committee on 20 October 2021, Members approved a Code of Conduct and a procedure for investigating complaints against Members.
3. The Authority has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members. Under the Authority's Scheme of Delegations, it is the responsibility of the Governance Committee to ensure the Authority complies with this statutory duty.

4. For the year beginning 1 April 2025 and ending on 31 March 2026, the Monitoring Officer received one complaint regarding the behaviour of members. Details of the complaint are contained in Annex 1.
5. Work will be undertaken to provide training for all Members on the Code of Conduct and training on dealing with complaints made against members will be provided for members of this committee.
6. The Monitoring Officer continues to have informal discussions with members as necessary to remind them of the requirements of the Localism Act 2011. There is a continuing need for informal discussions between the MO and members on occasion to ensure adherence to declarations of interest and to processes.
7. The Monitoring Officer has spoken with some Members about the need to declare personal and pecuniary interests when relevant matters are discussed at Committee meetings. In particular, the Monitoring Officer has reminded Members of the need to be familiar with our Code of Conduct, appreciate the difference between personal and pecuniary interests, and to understand the difference between bias and predetermination on the one hand and predisposition on the other. Members are reminded that it is how others perceive behaviours not necessarily what the individual intends to which they should have regard.
8. The Monitoring Officer has suggested that all Members be provided with refresher training especially with regards to dealing with pecuniary interests and bias and predetermination. To this end, training will be arranged at an Away Hour of Authority Committee later this year. Members are asked to consider whether any further training would be considered appropriate either to improve conduct and standards generally.

Policy context

9. Reviewing complaints and identifying trends over time will enable us to identify areas of concern where the Authority is not performing as well as it might against our Business Plan.
10. The review of complaints against Members enables the Authority to improve its level of service to roll out training and review processes where this will improve performance of committees. Identifying trends will enable us to see where we need to improve our service delivery.

Options

11. Members are presented with the following options:
 - a) Members note complaints made against Members during the period 1 April 2025 to 31 March 2026 and make suggestions to promote and maintain high standards of conduct by members of the Authority.
 - b) Members note complaints made against Members during the period 1 April 2025 to 31 March 2026 and make no suggestions to promote and maintain high standards of conduct by members of the Authority.

Proposals

12. Members are asked to note the contents of this report and make suggestions to promote and maintain high standards of conduct by members of the Authority.

Demonstrating best value

13. **Challenged** – This work must be done to ensure compliance with legislation. We have provided training and guidance to Members and Officers to assist officers in responding to requests made as efficiently as possible.
14. **Compared** – the proposed approach is compliant with legislative provisions and LGO guidance.

15. **Consulted** – As this is a statutory requirement, there has been no consultation.
16. **Compete** – As compliance is a statutory requirement, this is irrelevant.

Finance considerations

17. The report has no finance considerations. However, Members should be aware that any matter that has not been dealt with to the satisfaction of complainants may be referred to the Local Government Ombudsman. Any complaint to the Ombudsman which is upheld may result in the Authority having to pay compensation to the complainant as may be considered reasonable by the Ombudsman.

Risk

18. The monitoring of complaints received by the Authority about Members will help us to identify any areas of risk and enable the Authority to take appropriate steps to either negate or minimise that risk.

Legal considerations

19. The Authority has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members. The Authority is also obliged to have in place a Code of Conduct, a procedure for investigating complaints against Members, and must ensure that any complaints made are investigated in accordance with that procedure.
20. Under the Authority's Scheme of Delegation, it is the responsibility of the Governance Committee to ensure that the Authority complies with its statutory duty under the Localism Act 2011.

Human resources

21. It is a legal requirement that we investigate and respond to any complaints made against Members. This takes time from officers and, in some cases, Members of the Governance Committee which cannot be mitigated.

Diversity implications

22. This report has no diversity implications.

Sustainability

23. There are not any significant environmental, economic and social effects.

Background papers	Legal Services matter files
Author / Post	Julie Wood, Authority Solicitor/Monitoring Officer
Responsible Director	Gavin Capstick, Chief Executive
Date written	23 June 2026

Annex 1: Details of complaint

Complaint:

The Complainant, on behalf of himself and Mr I, complained about Member X's behaviour at a meeting of the LDNPA's Development Control Committee on the 4 June 2025, particularly regarding his participation in the discussion and participation of planning application 7/2024/4097 relating to Fairfield, Eskdale, Holmrook, CA19 1UA.

The complainant alleged that both Mr I and Member X had previously met in a forum to discuss a matter relevant to the residents of the area where both Mr I and Member X reside. The complainant considered that the nature of the meeting was such that "Any unbiased assessment of the relative circumstances between the Mr I and Member X would find it easy to conclude a possible cause for Member X to harbour malevolent intent against the applicant exists".

The complainant considered that, owing to this conflict of interest, Member X should have recused himself from any taking part in deciding this application. The Complainant believed that Member X did neither and took "a very proactive" part in the meeting "which he used to influence the decision-making process".

The matter was investigated, and, on 7 July 2025, the Monitoring Officer issued a Decision Notice in which he found that Member X had not acted in breach of the Member Code of Conduct, not had he acted in a manner that was biased or predetermined.

Following a request for a review of the Monitoring Officer's decision, a Governance Sub-Committee was convened to review the evidence, hear representations from the parties concerned, and decide whether Member X acted in breach of the Member Code of Conduct and/or was biased and predetermined in the discussion and participation of planning application 7/2024/4097.

Decision:

The Monitoring Officers decision was upheld and there was no further action to be taken.

After considering all evidence placed before the subcommittee, there was no evidence to suggest that Member X had a conflict of interest. Mr I and Member X had met only a handful of times and the subcommittee considered that an Authority Member knowing a member of the public as an acquaintance or lesser did not require a declaration of any interest in the matter.

The only time there is a requirement for a member to leave the room for debate and voting is if they have a disclosable pecuniary interest and that was not the case in this instance. The subcommittee considered that Member X did not have a conflict in this case and therefore there was no conflict to declare.