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**COUNCIL  
21 October 2014**

**PUBLIC QUESTION TIME**

The following question has been received from Peter Corkindale:

“In May this year the leader of the Conservative Group Cllr Glen Miller broke the law in relation to the election in which he was a candidate in that he used taxpayer funded stationary, postage and officer time sending out election material in which people were encouraged to vote for him. Not only that but he admits he did, saying it was a genuine mistake something I find risible for if he doesn't know the law it begs the question who does and how many more laws as yet undetected have been broken. As you are aware upper limits are placed on every candidate as to the amount of money each can spend in any particular ward based on a fixed sum plus an amount for each voter. I am also been advised that he claimed a sum for his disability something else he is not allowed to spend on electioneering My question to you is what does this Council intend to do about the admitted offences committed by Cllr Miller and if it becomes apparent that he has committed other offences what do you intend to do about those? Bearing in mind that the electorate expect that when they vote in an election those seeking election should be open, transparent and above all honest.”

Response from the Leader:

It is the Council which has acted unlawfully in the use of its resources and not the individual member. The use of resources in this way is a breach of the civil law but not of the criminal law. In those circumstances there was no basis upon which to report the matter to the Police. The responsibility of the election agent of a candidate is to ensure that any election expenses incurred are declared in accordance with the Representation of the People Act 1983 . Any election expenses must not exceed the statutory limit. In this case the agent did submit the required return and the declared expenses did not exceed the statutory limit. Unless you have any further evidence, there are therefore no electoral matters for which Councillor Miller is in breach of the criminal law. The Members' Code of Conduct applies to the conduct of elected members when they act in that capacity and Councillor Miller has reported himself to the Council's Monitoring Officer for a breach of the Code of Conduct and is being dealt with via that procedure.