

A meeting of the **STANDARDS COMMITTEE** will be held in the **CHIEF EXECUTIVE'S MEETING ROOM, FIRST FLOOR, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **THURSDAY, 7 DECEMBER 2006** at **10:00 AM** and you are requested to attend for the transaction of the following business:-

A G E N D A

APOLOGIES

- | | | Contact |
|---|--|-----------------------------|
| 1. MINUTES (Pages 1 - 4) | | C Deller 388007 |
| <p>To approve as a correct record the Minutes of the meeting held on 14th September 2006.</p> | | |
| 2. MEMBERS' INTERESTS | | |
| <p>To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see notes 1 and 2 below.</p> | | |
| 3. LITTLE PAXTON PARISH COUNCIL - ALLEGED BREACH OF CODE OF CONDUCT (Pages 5 - 74) | | P Watkins 388002 |
| <p>To consider a report by the Director of Central Services and Monitoring Officer regarding allegations made against a Parish Councillor serving on Little Paxton Parish Council and the recommendations of the Investigating Officer thereon.</p> | | |
| 4. APPLICATION FOR DISPENSATION (Pages 75 - 76) | | C Deller 388007 |
| <p>To consider a report by the Director of Central Services and Monitoring Officer regarding an application received for dispensations on behalf of Broughton Parish Councillors.</p> | | |
| 5. USE OF RESOURCES JUDGEMENTS 2005/6 (Pages 77 - 82) | | C Deller 388007 |
| <p>To consider a report by the Director of Central Services and Monitoring Officer.</p> | | |
| 6. CODE OF CONDUCT - STANDARDS BOARD NOTIFICATION (Pages 83 - 84) | | C Deller 388007 |
| <p>To consider a report by the Director of Central Services and Monitoring</p> | | |

Officer regarding a notification received from the Standards Board for England on a decision made in respect of an allegation of misconduct by a Godmanchester Town Councillor.

7. CODE OF CONDUCT - UPDATE (Pages 85 - 88)

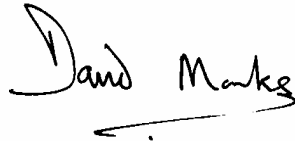
**C Deller
388007**

To consider a report by the Director of Central Services and Monitoring Officer regarding the release of the new Code of Conduct.

8. DATE OF NEXT MEETING

To note that the next ordinary meeting of the Committee will be held on Thursday 8th March 2007 at 4pm.

Dated this 29th day of November 2006

A handwritten signature in black ink that reads "David Marks". The signature is written in a cursive style with a long horizontal stroke underneath the name.

Chief Executive

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, a partner, relatives or close friends;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntsdc.gov. if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Panel.

Specific enquires with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit and to make their way to the base of the flagpole in the car park at the front of Pathfinder House.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in Meeting Room, 1 Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Thursday, 14 September 2006.

PRESENT: Mr D H Bristow - Chairman

Councillors Mrs B E Boddington, P J Downes, D L Hall, D MacPherson and Mr G Watkins.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs K P Gregory, I R Muir, T D Sanderson and J Taylor.

18. MINUTES

Subject to an amendment to Minute No. 13 to reflect that Cambridgeshire County Council elections were held in 2001 and not 2005, the Minutes of the meeting of the Committee held on 24th July 2006 were approved as a correct record and signed by the Chairman.

19. COUNCILLOR J A P EDDY

The Chairman paid tribute to Councillor J A P Eddy, who had passed away recently and acknowledged the help and advice that he had been given by Councillor Eddy when first elected to chair the Panel and the wealth of experience that Councillor Eddy had contributed to meetings as a long standing Member of the Committee.

20. MEMBERS' INTERESTS

None were declared.

21. CODE OF CONDUCT - STANDARDS BOARD NOTIFICATIONS

By way of a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) the Committee were notified of decisions taken by the Standards Board for England in respect of allegations made against two Members of the District Council and against three Councillors serving on Ramsey Town Council.

The Monitoring Officer reported that the complainant in the case involving two District Councillors had requested a review of the decision of the Board not to refer the complaint for investigation but that following this process, the Board had concluded that the case had been handled correctly and that the final decision was reasonable.

The Committee also were informed that, as far as the Monitoring Officer was aware, no further information had yet been submitted to assist the Standards Board in determining whether further action would be required against two of the three Councillors serving on Ramsey Town Council against whom allegations had been made.

22. TRAINING - ROUND-UP

A report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) describing the activities undertaken to fulfil the Committee's obligation in terms of training and advice on issues relating to the local ethical framework and code of conduct was received and noted.

Members expressed their disappointment at the number of parish councillors who had attended training sessions over the summer but acknowledged that should a local parish council become involved in a case attracting media coverage it would encourage greater interest in pursuing an understanding of the Code of Conduct.

Referring to the direction issued by the Standards Board for England to provide training and guidance to all Members of Sawtry Parish Council, the Monitoring Officer reported that he was not aware of any sanctions which could be imposed by the Board were he unable to comply with the direction.

23. A NEW APPROACH – LOCAL INVESTIGATIONS

Further to Minute No. 27 of the meeting held on the 9th March 2006, the Committee received and noted a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) regarding details of a new approach, devised by the Standards Board for England, to monitor the progress of investigations being undertaken locally.

Members were informed that as part of its new role as regulator, the Board would ensure that any concerns that might emerge during an investigation, in terms of process/timescale/interpretation could be dealt with in a timely and appropriate way. The Committee also noted the Board's recommendation in respect of the appointment of Investigators and the need for Monitoring Officers to satisfy themselves that the person appointed had the necessary skills and resources to undertake the investigation thoroughly.

24. NEXT MEETING

RESOLVED

that the next ordinary meeting of the Committee be held at 10am on Thursday 7th December 2006.

25. DVD

The Committee viewed a DVD prepared by the Standards Board for England on local investigations and the conduct of local hearings.

Chairman

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STANDARDS COMMITTEE

7TH DECEMBER 2006

**LITTLE PAXTON PARISH COUNCIL – ALLEGED BREACH OF CODE OF CONDUCT
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 Members will be aware of a complaint which had been made to the Standards Board for England relating to the alleged conduct of a Councillor serving on Little Paxton Parish Council. The allegation had been referred to an Ethical Standards Officer who had subsequently passed the matter to the Monitoring Officer for investigation locally.
- 1.2 This procedure requires a report on the outcome of the investigation to be submitted to the Standards Committee.

2. INVESTIGATION

- 2.1 In accordance with the guidance issued by the Standards Board for England, an investigation into the complaint has been undertaken. This has involved the inspection of Parish records and individual interviews with the complainant, with the Councillor who was the subject of the allegation, with the Chairman of the Parish Council and with the Parish Clerk.
- 2.2 The final report on the case is now enclosed. Appended to it are the documents which the Investigating Officer has taken into account in reaching her conclusions.
- 2.3 A copy of the Agenda for this meeting, including the final report has been sent to the complainant, to the Clerk to Little Paxton Parish Council and to the Ethical Standards Officer.
- 2.4 The Monitoring Officer also has sent a copy of the final report to the Councillor against whom the allegation has been made. The Councillor has been advised of the conclusion of the final report and that the report has been referred to the Standards Committee.

3. NEXT STEPS

- 3.1 The Committee should consider making one of the following findings –
 - (i) that it accepts the Investigating Officer's finding, that a Councillor has not failed to comply with the Code of Conduct for Members as set out in the allegations; or
 - (ii) that the matter should be considered at a hearing of the Standards Committee conducted in accordance with the District Council's adopted procedure for local determination hearings.

- 3.2 Should the Standards Committee find that there has not been a failure to comply with the Code of Conduct, the Monitoring Officer is required, as soon as practicable thereafter, to send a written note of that finding and the reasons on which it was based together with a copy of the Investigating Officer's report to the Councillor, to the Ethical Standards Officer, to the Parish Council and to the person who made the allegation. The Councillor should be asked whether he objects to the publication of a notice of the finding in the local newspaper and arrangements should be made for the publication of the Notice unless the Councillor so objects.
- 3.3 If the Standards Committee decides that there is a case to answer, a hearing will be held to make a final determination on whether the Code of Conduct has been breached. The Standards Committee's decision to hold a hearing should be based on careful consideration of the information in the report of the Investigating Officer. Should the Committee wish to proceed, the Monitoring Officer is required to arrange for the matter to be considered at a hearing held in accordance with the adopted procedure.
- 3.4 The Committee will recall that they authorised the Director of Central Services and Monitoring Officer, after consultation with the Chairman of the Committee, to appoint Members to hearings as necessary and suggested that five Members should comprise the Panel, charged with undertaking a determination hearing. It was agreed that a minimum of 3 Members of the Standards Committee, including at least one Independent Member must be present. If a case related to a Parish Councillor it was agreed that one of the Committee Members present must be a Parish Councillor.

4. CONCLUSION

- 4.1 The Committee is invited to consider the report of the Investigating Officer and to decide whether, based on the facts set out, that it agrees or otherwise with the findings and considers whether there is a case to answer.

BACKGROUND PAPERS

Local Investigations – Guidance for Monitoring Officers and Standards Committees – Standards Board for England.

Contact Officer: Peter Watkins, Director of Central Services and Monitoring Officer – (01480 388002).

FINAL REPORT

SBE CASE NO: SBE 1533606

MEMBER: Parish Councillor J Willcock

AUTHORITY: Little Paxton Parish Council

ALLEGATIONS: It is alleged that the above-named Member acted contrary to paragraphs 3 (a), 7 (1), 8, 9 (1) and 10 (a) of the Parish Council's Code of Conduct.

DATE REFERRED TO DISTRICT COUNCIL'S MONITORING OFFICER: In accordance with section 60 (2) of the Local Government Act 2000, the case was referred to the Monitoring Officer, Huntingdonshire District Council for investigation in a letter dated 20th July 2006.

APPOINTMENT OF INVESTIGATING OFFICER: On 26th July 2006 the Monitoring Officer appointed Ms Christine Deller, Democratic Services Manager, Huntingdonshire District Council to investigate the allegation.

DATE OF DRAFT REPORT: 17TH OCTOBER 2006

SUMMARY

The complainant, Mrs Susan Dean of 29 Lakefield Avenue, Little Paxton had alleged in a complaint sent to the Standards Board for England dated 19th June 2006 that Councillor J Willcock had failed to declare an interest in the matter of the erection of a fence adjoining the Parish Council's playing field, that Councillor Willcock passed correspondence to the complainant's neighbours, Mr and Mrs D Dring, without the knowledge of the Parish Council and without the neighbours making proper requests for the information and that Councillor Willcock was very good friends with the complainant's neighbours.

As a result of these actions, it has been alleged that Councillor Willcock failed to comply with Sections 3 (a), 7 (1), 8, 9 (1) and 10 (a) of Little Paxton Parish Council's Code of Conduct adopted by the Council at its meeting held on 7th May 2002 which requires that -

3 (a) - a Member must not disclose information given to him/her in confidence by anyone, or information acquired which she/he believes is of a confidential nature, without the consent of a person authorised to give it, or unless she/he is required by law to do so;

7 (1) - a Member must regard him/herself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, rate payers, or inhabitants of the authority's area, the well being or financial position of him/herself, a relative or a friend;

8 - a Member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered, must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent;

9 (1) – a Member with a personal interest in the matter also has a prejudicial interest in that matter, if the interest is one in which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member’s judgement of the public interest; and

10 (a) – a Member with a prejudicial interest in any matter must withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained dispensation from the Standards Committee of the responsible authority.

RESPONSES TO ALLEGATIONS

In a letter from the Standards Board for England dated 20th July 2006, the allegations were referred for investigation to the Monitoring Officer, Huntingdonshire District Council in accordance with Section 60 (2) of the Local Government Act 2000.

In accordance with the procedure for the investigation of allegations, Councillor Willcock submitted a written statement in which he denied having breached the Code of Conduct. No other written material has been submitted.

INVESTIGATION: PROCEDURE

Four interviews were conducted by the Investigating Officer: one with Mrs Jenny Gallatly, Clerk to Little Paxton Parish Council on 29th September 2006, others separately with Councillor J Willcock, against whom the allegations had been made on 4th October 2006, with Councillor A Denison, Chairman of the Parish Council on 11th October 2006 and with Mrs S Dean, the complainant, on 12th October 2006. In response to an approach from the Investigating Officer, Mr D Dring, the principal witness chose to respond to questions on his involvement in the case via e-mail. This exchange took place over the period 29th September – 12th October 2006. On 29th September, the Investigating Officer accompanied Mrs Gallatly on a visit to the Playing Field and to the location of the fence involved in the case.

A written note of the material points of the interviews conducted was sent to each party together with a request that one copy be returned, signed as a correct record with such corrections or amendments as the interviewees felt necessary. Copies of the interview notes are appended together with other documents that are relevant to the investigation –

- ◆ A location map of Lakefield Avenue, Little Paxton on which can be identified the home addresses of Councillor J Willcock, Mr and Mrs D Dring and Mrs S Dean and the juxtaposition of the playing field with the properties owned by these individuals;
- ◆ A written statement produced by Councillor J Willcock in respect of the allegations made against him received by the Monitoring Officer on 27th July 2006;
- ◆ A copy of the original complaint made by Mrs S Dean to the Standards Board for England dated 19th June to which are attached Minutes of Little Paxton Parish Council and relevant letters relating to the case dated over the period 4th May 2005 – 23rd May 2006;
- ◆ Also appended is a copy of a letter received from Mrs S Dean sent in response to the content of the draft report.

RELEVANT FACTUAL INFORMATION:

Mrs Gellatly, Clerk to the Parish Council has confirmed that Councillor Willcock had first signed his declaration of acceptance of office on his co-option to the office of Parish Councillor on 6th September 2001 and had agreed to observe the Parish Council's Code of Conduct. Councillor Willcock has subsequently reaffirmed his declaration and willingness to observe the Code of Conduct annually as this appears to be the practice of Little Paxton Parish Council. Councillor Willcock could not recall having received a copy of the Code of Conduct when first co-opted but both the Parish Clerk and Councillor Willcock suggested that this would not have been overlooked by the previous Clerk. Councillor Willcock had not participated in any training on the Code of Conduct despite the opportunity having been offered to him via sessions hosted by CALC and the District Council. In common with all Members of the Parish Council, Councillor Willcock had received a copy of "The Good Councillors Guide" published by the National Training Strategy For Town and Parish Councils. Councillor Willcock's financial and other interests are registered with the District Council. Councillor Willcock's registered address is 45 Lakefield Avenue, Little Paxton. When questioned, Councillor Willcock confirmed that, in his view, he understood the concept of personal and prejudicial interests as defined by the code of Conduct. It was also the view of the Parish Clerk and Parish Chairman that Councillor Willcock had a good understanding of the code. Neither the Clerk, Chairman nor Councillor Willcock's colleague Members had suggested to him that it would have been prudent to declare an interest at the meetings at which the "fence on playing field" was raised.

The background to the complaint relates to the erection of a fence on the rear garden boundary of No 31 Lakefield Avenue, Little Paxton occupied by Mr and Mrs Dring and that of Little Paxton playing field. Those parties involved following the commencement of work by the fencing contractors at No 31 Lakefield Avenue, have described the sequence of the events as they unfolded in detail in the interview notes. These accounts are broadly similar and there appear to be no discrepancies in the facts as re-counted by the Parish Clerk, Mrs J Gellatly, the Chairman of the Parish Council, Mr Denison, Mr and Mrs Dring and Mrs Dean. Whilst the dispute over the erection of the fence ultimately led to the submission of the complaint to the Standards Board for England, there is no suggestion that the Parish Council has acted improperly in their attempts to resolve the matter.

The diary of events produced by the Clerk to Little Paxton Parish Council records that the item "fence on playing field" was considered at three meetings of the Parish Council on 4th May, 2nd June and 7th July 2005. Copies of the Minutes of these meetings of the Parish Council accompanied the complaint to the Standards Board. Councillor J Willcock was present at each of these meetings. It is not recorded that Councillor Willcock declared an interest at these meetings nor did he challenge the accuracy of those minutes at subsequent meetings.

At their meeting on 7th July 2005, the Parish Council concluded their business on the item "fence on playing field" and agreed to take no further action. The vote on the item was not recorded. Councillor Willcock had suggested that he had abstained from voting although this is not recorded formally in the Minutes. The Parish Clerk has confirmed that Councillor Willcock had abstained from voting at the meeting on 7th July 2005 and that she had a record of his abstention in her hand written notes. These have been copied to

the Investigating Officer. Councillor Willcock's abstention also was recalled by the Chairman to the Parish Council, Councillor Denison.

A letter from Mrs Dean relating to the "fence on playing field" was circulated to all Members of the Parish Council present at their meeting held on 4th May 2005. Whilst the content of the letter was not read out to the meeting, the subject matter would have been apparent to those in the public gallery and the facts clearly accessible to the other parish councillors. In her letters dated 10th and 23rd May, the Parish Clerk states that the Parish Council had not received any requests from Mr and Mrs Dring to view any correspondence received from Mrs Dean nor had any such matter been released from the Parish Office.

Using and comparing the evidence gathered during the interviews, it is possible to examine the various allegations made in the complaint.

FAILURE TO DECLARE A PERSONAL INTEREST –

"A member must regard him/her having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 12 and 13 (of the model code of conduct) or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, rate payer, or inhabitants with the authorities area, the well being or financial position of him/herself, a relative or a friend. Paragraph 12 of the code requires that a member must register his/her financial interests – these interests include "the address or other description (sufficient to identify the location) of any land in which he has a beneficial interest and which is in the area of the authority". (Paragraph 7(1)).

Councillor Willcock has registered his interests with the Monitoring Officer. His declaration identifies his ownership of a property at 45 Lakefield Avenue in the parish of Little Paxton. The item in respect of the "fence on playing field" considered by the Parish Council related to a property also located on Lakefield Avenue, Little Paxton. By virtue of his property ownership it is suggested that Councillor Willcock should have considered declaring a personal interest at the meetings of the Parish Council held on 4th May, 2nd June and 7th July 2005. Councillor Willcock's property abuts the playing field on which the fence under discussion had been erected. Whilst accepting that Councillor Willcock does not have a view of the rear boundary of number 31 Lakefield Avenue from his own property and that No 31 is some distance from No 45, the fact that both properties share a common boundary with the parish council's playing field is sufficient to constitute a personal interest.

There are conflicting accounts of the extent of Councillor Willcock's relationship with Mr and Mrs Dring. Whilst there is insufficient evidence to suggest theirs is a close relationship, Councillor Willcock has acknowledged, at the very least, contact with Mr Dring over Parish Council business in the past, membership of the same gym, where they would occasionally exchange pleasantries and one visit to Mr Dring's property to inspect the position of the fence. Indeed Councillor Willcock had described their relationship as a "very passing acquaintance". The Parish Clerk has suggested that Councillor Willcock would have known Mr Dring, although she could not describe their relationship as close. Similarly the Chairman of the Parish Council, Councillor Denison also has suggested that a casual friendship existed between the two men. Mr Dring also has used the phrase "acquaintance" to describe his relationship with Councillor Willcock although denies any other social contact

with him. It is interesting to note that Councillor Willcock indicates in his statement that he made no secret of the fact that he was an acquaintance of Mr Dring at meetings of the Parish Council. Both Councillor Willcock and Mr Dring admit to “chatting” outside Mr Dring’s house when Councillor Willcock had been en route to his close friend living at number 27 Lakefield Avenue. It had also been suggested by Mr Dring that the two men had bumped into each other a few times.

A Councillor has a personal interest in any matter which affects the well being or financial position of a friend. The term “friend” has presented a variety of difficulties in terms of its definition for the purposes of the Code generally, but given that Councillor Willcock had had contact with Mr Dring over parish council business and has acknowledged some, although perhaps infrequent social contact with him, it might have been prudent for him to have disclosed his acquaintance with Mr Dring via the declaration of a personal interest.

A Member with a personal interest in a matter who attends a meeting of the Authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent (paragraph 8).

There is no record in the Minutes of the meetings of Little Paxton Parish Council held on 4th May, 2nd June and 7th July 2005 that Councillor Willcock had declared a personal interest in the business relating to the “fence on playing field” by virtue of his ownership of 45 Lakefield Avenue, the location of the property on the common boundary of the playing field and his acquaintance with Mr Dring, owner of number 31 Lakefield Avenue at which location there was a dispute over the erection of a fence. It is perhaps unfortunate that Councillor Willcock chose to indicate some association with Mr Dring during the Parish Council meetings but this was not considered to be a formal declaration and therefore not recorded in the Minutes. There is also no indication that Councillor Willcock challenged the accuracy of the minutes at subsequent meetings.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest. (Paragraph 9 (1)). A Member with a prejudicial interest in any matter must withdraw from the room or chamber where the meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained dispensation from the Standards Committee of the responsible authority (paragraph 10 (a)).

Although it can be established that Councillor Willcock had a personal interest by virtue of his property ownership in the item “fence on playing field”, it could be argued that, in itself, that interest would not be regarded as so significant as to prejudice his judgement of the public interest. Similarly, there appears to be insufficient evidence to substantiate the view that Councillor Willcock’s relationship with Mr Dring was such that it would have affected his judgement of the Council’s business.

Councillor Willcock only contributed to debate on the “fence on playing field” issue at the meeting held on 7th July 2005. It is the view of the Parish Clerk that Councillor Willcock’s input had not influenced the Parish Council’s

decision on this item. Similarly the Chairman of the Parish Council, Councillor Denison has confirmed, that in his view, Councillor Willcock had not influenced the decision of the Parish Council in this matter. Councillor Willcock recalled that his comments on the item were based purely out of concern at the implications for the Parish Council should they pursue action against Mr Dring given the uncertainty relating to the position of the existing boundary, the action which similarly would have to be taken against other property owners and the effect any legal challenge might have had on the parish precept. Both the Parish Clerk and Parish Chairman have indicated that Councillor Willcock had deliberately distanced himself from any involvement in the "fence" issue and had not participated in any site meetings with the Deans or Dring's in which the Parish Council might have been involved. Both also have confirmed that Councillor Willcock's contribution to the meeting was confined to advice about the consequences of a decision for the Parish Council. Although Chairman of the Parish Council's Finance Committee, and whilst Councillor Willcock has acknowledged an interest in the Council's financial affairs, it was the full Council which made the final resolution in respect of the "fence item" and not the Finance Committee. Although, that part of the meeting was held in private session, the Parish Clerk, Parish Chairman and Councillor Willcock have indicated that the vote had not been recorded but that Councillor Willcock chose not to vote. Regrettably neither his abstentions, nor any others, have been recorded formally in the minutes although there is a handwritten record of Councillor Willcock's abstention in the notes of the Parish Clerk. As there is no suggestion that Councillor Willcock's personal interests were so significant as to prejudice his judgement of the public interest, no evidence to suggest that his involvement in the debate prior to the decision on the matter had influenced the deliberations of the Parish Council and given his abstention from voting on the issue, it can be concluded that Councillor Willcock's conduct did not involve a failure to declare a prejudicial interest, in which case he was not required to leave the meeting.

During the course of the investigating officer's interview with Mrs Dean, Mrs Dean alleged that Councillor Willcock had used his position as a Councillor to secure an advantage for Mr and Mrs Dring. Given the statements made by the Parish Clerk and Parish Chairman that, in their view, Councillor Willcock did not influence meetings of the Parish Council at which the fence issue was discussed and had abstained from the vote taken on that matter, there is no evidence to support this allegation.

A Member must not disclose information given to him/her in confidence by anyone, or information acquired which she/he believes is of a confidential nature, without the consent of a person authorised to give it, or unless required by law to do so (paragraph 3 (a)).

At the meeting of the Parish Council held on 7th July 2005, a letter from Mrs Dean was distributed to all members of the parish council present. Whilst the contents were not read out, the subject matter was identified during debate sufficiently well to encourage unsolicited input from the public gallery. It is also worth noting that the public gallery at that meeting was larger than normal because of the presence on the agenda of another controversial item affecting the village. It can be contended therefore, that the body of the meeting and all members of the parish council left that meeting with knowledge of Mrs Dean's concerns regarding the "fence on the playing field" issue. In the interim, whilst Councillor Willcock may have been aware that the Parish Council was engaged in ongoing correspondence with Mr and Mrs Dean, he would not have had sight of anything other than those items which might have been circulated to all parish councillors and, therefore, in the public domain. The

Parish Clerk categorically denies releasing any correspondence on the case to Councillor Willcock and it would have been impossible for Councillor Willcock to access the files concerning the “fence issue” without the Parish Clerk’s knowledge. There is no separate parish office. Documents associated with the administration of the Parish Council are held in the home of the Parish Clerk. The Chairman of the Parish Council, Councillor Denison endorses the submission of the Parish Clerk and has commented that even as Chairman he would only have access to that correspondence distributed to him in conjunction with his role as a parish councillor. Councillor Willcock has stated that he has not seen any correspondence that Mr and Mrs Dean had written to the parish council other than that officially circulated and he denied passing on any correspondence to Mr and Mrs Dring. Mr and Mrs Dring also deny receiving copies of any correspondence from Councillor Willcock.

To support her allegation, Mrs Dean has produced a copy of a letter dated 4th May 2006 from Mr and Mrs Dring. It is suggested in the first paragraph of the letter that Mr and Mrs Dring have had sight of Mrs Dean’s correspondence with the Parish Council over the last 12 months. This wording is perhaps unfortunate. Mrs Dean has interpreted these words to mean that someone associated with the Parish Council had released copies of her correspondence to Mr and Mrs Dring over a period. In an e-mail dated 29th September 2006 to the Investigating Officer, Mr Dring states that the parish council forwarded copies of responses sent to Mrs Dean to him and his wife and that it was through this avenue that he became aware of ongoing correspondence between Mrs Dean and the parish council. There are also sufficient references in the diary of events produced by the Parish Clerk to indicate that Mr Dring had been involved in an exchange of correspondence with the Parish Council sufficient to inform him of the outstanding dispute with Mrs Dean. In the absence of any other supporting evidence, it is difficult to substantiate the allegation that Councillor Willcock disclosed information to Mr and Mrs Dring given to him in confidence without consent. It is notable that the information allegedly released to Mr and Mrs Dring was that which they would already have been aware because of their continuing exchange with the Parish Council.

FINDINGS OF FACT

I have found that Councillor Willcock had a personal interest in the item “fence on playing field” which was discussed at meetings of Little Paxton Parish Council on 4th May, 2nd June and 7th July 2005. There is no record that this interest is declared. There is no suggestion of further impropriety in that a member with a personal interest can continue to participate in the meeting and to vote. It is regrettable that Councillor Willcock’s reference during the Parish Council’s meeting to an association with Mr Dring did not result in a formal declaration of a personal interest given also his reluctance to vote and his decision to abstain when the vote on the issue was taken by the Parish Council. Disappointingly, this abstention also was not recorded in the Minutes. By these actions, it could have been perceived that Councillor Willcock had an awareness that he had an interest. It is regrettable that Councillor Willcock had not participated in any training on the code of conduct as this may have assisted in clarifying his thoughts on these issues.

There is no suggestion that Councillor Willcock’s personal interest was such that it was likely to prejudice his judgement of the public interest nor any evidence to support the assertion that Councillor Willcock’s contributions to debate at meetings of the parish council when the “fence issue” was discussed improperly influenced the decision making process. Although, there

is sufficient information to suggest that Councillor Willcock was an acquaintance of Mr and Mrs Dring there is no evidence to support the allegation that a close friendship existed between the two men nor that a relationship existed which might have induced Councillor Willcock to use his position as a Member improperly to confer on or secure any advantage for another person.

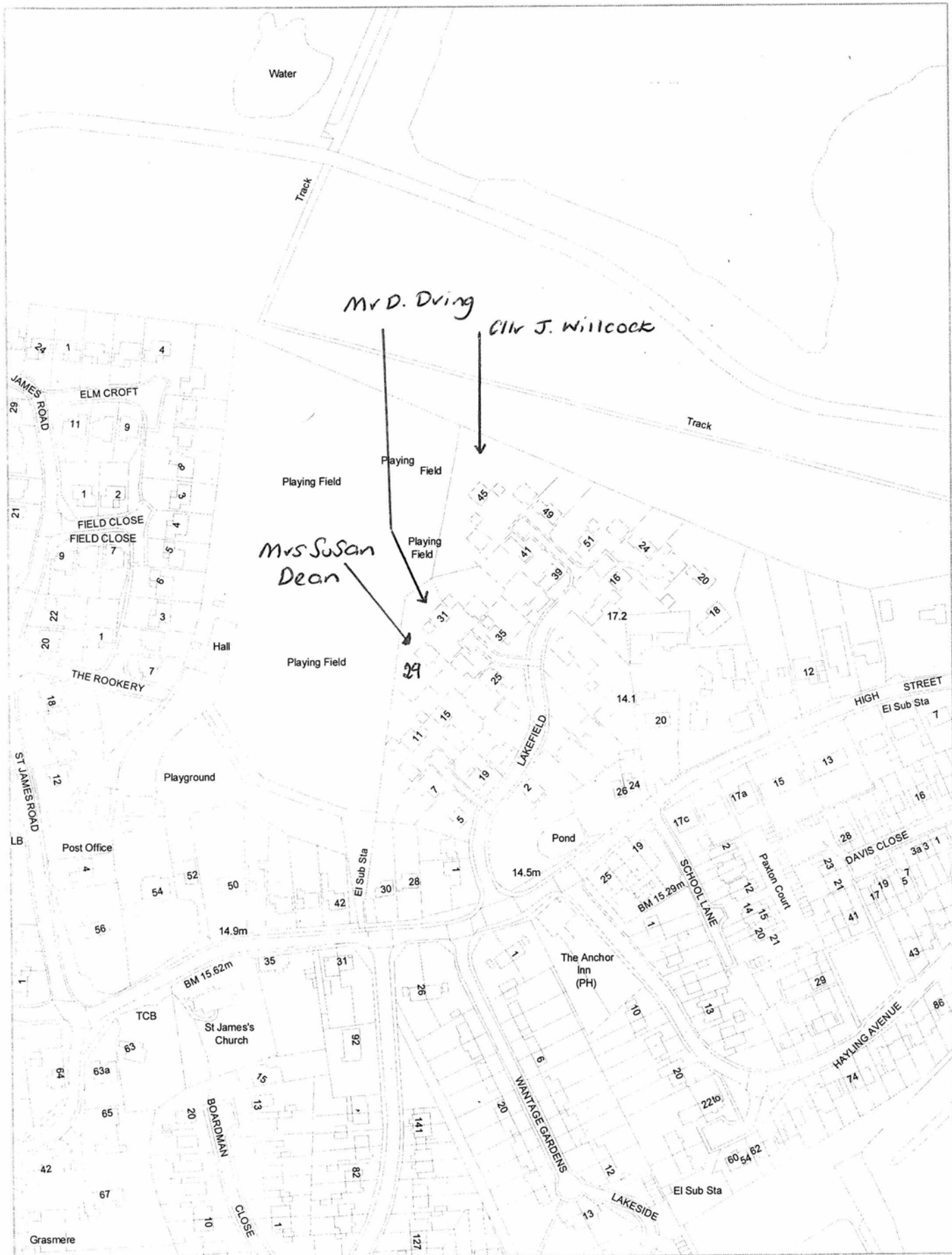
In relation to the suggestion that Councillor Willcock may have disclosed information given to him in confidence without permission, it is apparent that Councillor Willcock only had access to correspondence which was already in the public domain having been circulated at parish council meetings or distributed to Members as part of their official role of councillor. Councillor Willcock could not access parish council documents without the knowledge of the Parish Clerk, neither has the Parish Clerk released information to Councillor Willcock. All Councillors would have had access to the same level of information in respect of Mrs Dean's correspondence with the Parish Council. Councillor Willcock had no additional advantage in this respect. The terminology used by Mr and Mrs Dring in their letter to Mr and Mrs Dean dated 4th May 2006 is unfortunate. There is, however, no evidence to suggest that Councillor Willcock passed the correspondence directly onto Mr and Mrs Dring but sufficient to suggest that Mr and Mrs Dring had sight of documents copied to them, quite properly, in exchanges with the Parish Council. Therefore, I believe that the allegation in respect of the disclosure of information is not proven.

RECOMMENDATIONS

Having concluded that Councillor Willcock has breached the Little Paxton Parish Council's Code of Conduct by failing to declare a personal interest by virtue of his property ownership and association with Mr D Dring, and given that these omissions may not have occurred had Councillor Willcock received training on the Code of Conduct, the Investigating Officer recommends that

- (a) arrangements be made by the Monitoring Officer for Councillor J Willcock to receive training on ethical standards and the Code of Conduct; and
- (b) the Monitoring Officer offer Little Paxton Parish Council the opportunity to receive further training on the Code of Conduct given the uncertainty, expressed during the course of the investigation, as to whether Councillor Willcock's interests were sufficient to constitute a personal interest.

Christine Deller
Investigating Officer
23rd November 2006



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|---|---|---------------------------------|
|  | Huntingdonshire <small>DISTRICT COUNCIL</small> | Lakefield Avenue, Little Paxton |
|---|---|---------------------------------|

Tel: 01480 – 473558
E Mail: j.willcock@cranfiel.ac.uk

45, Lakefield Avenue
Little Paxton
St Neots
Cambs PE19 6NX

Peter Watkins
Dir of Central Svcs & Monitoring Officer
Huntingdonshire District Council
Pathfinder House
St. Mary's Street
Huntingdon
PE29 3TN

Dear Mr Watkins

Re: Alleged Breach of Conduct

Thank you for your letter of 26th inst. concerning allegations brought by Mrs Dean. I would like to now respond in full and advise you of the true nature of why this case has been presented to you.

To respond to your letter in the order written:-

1. I can confirm that I categorically deny all alleged breaches of the relevant Code of Conduct.
2. There are, to my knowledge no relevant documents that I have had knowledge of that refer to this allegation, so therefore am unable to direct you towards anything pertinent.
3. I would be pleased for you to contact anyone and everyone who you may feel relevant to this 'investigation' and would suggest as a matter of course you speak directly to the Parish Clerk, Parish Chairman, and Mr Dring, who is the poor, unfortunate neighbour of Mrs Dean. They are almost certainly able to shed more light on this than I am and will hopefully provide an informed unbiased view on this whole unfortunate saga.

I think it appropriate to detail the chronological order of events so that you are more able to appraise why this malicious, spurious action has been brought forward and to provide some facts that I suspect have been sadly lacking up to now.

Mr Dring has lived in Lakefield Avenue for some time, I do not know how long, but before he moved to be Mrs Dean's neighbour I met him once, on Parish Council business when he was directly affected by a small infill development on the High Street that became Pipistrelle Close. It has always been Parish Council policy to canvas opinion of adjacent property owners when planning applications

are submitted and at the time Mr Dring contacted me to voice his concern regarding the development. His concerns were duly forwarded to the Council.

I do have a close friend who is a neighbour of Mrs Dean, but in the property the other side, at No 27, and it was only after Mr Dring moved that I realised he had bought the adjacent house to Mrs Dean. He uses the same gym as me so we would occasionally acknowledge each other at the gym, but I thinking calling that a close friendship is stretching credibility.

The whole issue of 'the fence' happened without my knowledge, when Mr Dring sought to replace a dilapidated post and wire fence, interspersed with hawthorn, which abutted the Parish Council playing field. I understand that he sought advice from the Parish Clerk as to what his options were as the post and wire fence was technically the boundary but trees planted within the fence had now matured to a size whereby they were sited on the boundary line but with girths of typically half a metre diameter. The subsequent detail must be sought from the Parish Clerk as I had no knowledge of involvement at this juncture but the outcome was that the fencing contractor that Mr Dring appointed placed a close boarded fence on the far side of the tree line – in effect placing his fence possibly as much as 300-450mm within the Parish boundary. This was immediately brought to the attention of the Parish Council by Mrs Dean and her friend Mr Dring's other neighbour, who exhorted the Parish Council to take legal action to redress this 'land grab'.

The issue was discussed at the next full Council meeting, when I, as Chairman of the Finance Cttee was concerned that we could potentially be engaging in expensive litigation against a parishioner when the facts regarding the advice given to Mr Dring were not absolutely clear. Subsequent inspection of the fencing further down the field towards the High Street highlighted that other parishioners could also become subject to retrospective court action by the Council over a similar sized strip of land, and my concern was to ensure that the Council did jump into action regarding legal proceedings without fully considering the implications of this initial action against Mr Dring. I made sure that when the decision was made I abstained from voting and hopefully the Council records will show this. I did ask for this detail to be recorded.

I did make one visit to Mr Dring's property to look at the position of the fence, and was so impressed with the quality of construction that I subsequently used the same contractor on my own property to replace a party fence.

I do back onto the village playing field in the same way that Mr Dring does but at that point the commonality ceases. I do not claim anything more than to be an acquaintance of Mr Dring and said so when this matter was discussed in the Council meeting. I know that many Councillors and the Clerk will corroborate this statement.

I do not understand why Mrs Dean has brought this complaint forward other than for malice and her inability to direct other agencies against Mr Dring. She has a history of harassing the poor unfortunate neighbour living in Mr Dring's property – she brought a court action against the previous owner and I understand that the police have been called recently to intercede in a case between her husband and Mr Dring, who subsequently was treated in casualty at Hinchingsbrooke Hospital.

She has already tried to report the Parish Council to whatever agency will listen to her regarding this affair but to date has not found anyone who will listen to her.

I find it very sad and a monumental waste of public time and money investigating, and potentially legitimising actions instigated by Mrs Dean, but I accept that there has to be a monitoring process to ensure that anyone at any level of public office complies with standards of behaviour. The unfortunate thing in this situation is that no standards or sanctions can be applied to Mrs Dean's behaviour.

The information above details my total involvement in this fiasco. At no time did I get involved in advising or interceding in this case, and the idea that I am a 'close friend' of Mr. Dring is absurd and just playing to Mrs Dean's paranoia. I have no knowledge of any documentation or data I may have passed on – to my knowledge anything that the Council handles is public domain anyway.

I would urge you to listen carefully to what the other Council officials and Clerk have to say on this matter, all of whom will, I'm sure corroborate what is stated above. The mere fact that Mrs Dean has finally found someone to 'take action on her behalf' may be construed by her as providing her succour in her vendetta against Mr Dring, which I consider a totally unnecessary action without any foundation in fact or substance and a complete waste of public funds.

A brief conversation with the Parish Clerk may have obviated this action at its commencement and allowed Mr Dring to enjoy his stay in Little Paxton rather than have to be concerned about what actions Mrs Dean may try and construct next. He already has to live with closed circuit recording television cameras trained on his property from Mrs Dean's which I'm sure must be in contravention of the Data protection Act and suspect like most normal people would prefer to live quietly and in peace with his neighbours.

It is a sad fact that Mrs Dean is denying him and his family that pleasure.

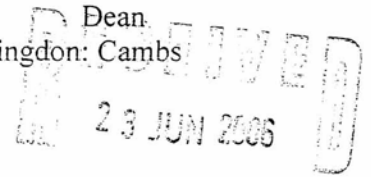
Should you require any further information or participation on my part I would be delighted to assist.

Yours sincerely

John Willcock

23 JUN 2006

| | | | |
|--------------------------|---|-----------------|------|
| Title | Mrs | RECEIVED | Dean |
| First name | Susan | | |
| Address | 29 Lakefield Avenue: Little Paxton: Huntingdon: Cambs | | |
| Post code | PE19 6NZ | | |
| Daytime telephone | 01480 404034 | | |
| Evening telephone | 01480 404034 | | |
| email | su.dean@virgin.net | | |



Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature Susan Dean date 19^h June 2006

YOUR COMPLAINT

Who are you complaining about?

Cllr J Willcock

Little Paxton Parish Council

WHAT ARE YOU COMPLAINING ABOUT

In April 2005 my neighbour erected a new fence, which adjoins the parish owned playing field. Myself and another parishioner pointed out to the Parish Clerk that my neighbour's contractors had exceeded his boundary by some ½ to 1 meter in places (this equates to approximately 15 square metres in total). I was told that although they were aware that he was erecting a new fence and the parish council had given his contractors permission to carry out the work from the parish council side they had not given him permission to exceed his boundary and that this would be discussed at the next Parish Council meeting to be held on the 4th May 2005.

I requested from the Parish Clerk a copy of the minutes of that meeting and was astonished to find that Cllr Willcock had declared no interest in this agenda item. Not only does Cllr Willcock's own property adjoin the playing field therefore any decisions made could ultimately effect him, but Mr & Mrs Dring whose fence it was that had encroached onto parish land are very good friends of Cllr Willcock. I requested all minutes from the Parish Clerk where this particular issue was on the agenda and note that on none of the minutes has Cllr Willcock declared an interest on the agenda item; this also includes the vote, which was held in private. I understand from the Parish Council that the final decision to allow Mr & Mrs Drings fence to remain in its present location was brought about because of financial restraints on the parish council's budget of which Cllr Willcock is the chairman

It has also come to my attention that correspondence that I have had with the Parish Council has been passed by Cllr Willcock to Mr & Mrs Dring without Mr & Mrs Dring going through the proper channels to obtain this and clearly without the knowledge of the Parish Clerk.

It is with deep regret that I feel the need to bring this matter to yourselves and whilst accepting the good work that the Parish Council does for the Village of Little Paxton I would be grateful if you could investigate my complaint as I feel aggrieved that Cllr Willcock has used his official position to the advantage of his friends.

I attach the following evidence:

- Minutes of meeting held on the 4th May 2005.
- Minutes of meeting held on the 2nd June 2005.
- Minutes of meeting held on the 7th July 2005.
- A letter dated 4th May 2006 from Mr & Mrs Dring confirming that they have had access to correspondence between the Parish Council and us.
- Letter dated 10th May 2006 from the Parish Clerk advising that no request to view our correspondence had been received from Mr & Mrs Dring.
- Letter dated 23rd May from the Parish Clerk reiterating that no request had been received from Mr & Mrs Dring or any information divulged from the Parish Office.

LITTLE PAXTON PARISH COUNCIL.

(Clerk of the Council. Mrs J Gellatly, 11 Hayling Avenue Little Paxton. St Neots. PE19 6HG)
(Telephone. 01480 470193) (e-mail. littlepaxton@hotmail.com)

Minutes of the Annual Full Council meeting held in the Committee Room in Little Paxton Village Hall on Wednesday 4th May 2005.

Present:

Cllrs A.Hilton,E.Timms,R.Russell, A.Denison, J.Willcock,M.Ross,
F.Owens,J.Blackburn,P.Martin,M.Creed ,Consultant John Browne, CCllr R Clarke and the Clerk J.Gellatly.

Agenda Item

- | | Power | Action
Clerk |
|--|-------|-----------------|
| 1. All the elected Parish Councillors present signed their Declaration of Office. Those absent to be contacted by Clerk. | | |
| 2. Election of Chairman for 2005/2006. Cllr Alan Hilton advised he was resigning as Chairman and as a Parish Councillor. Cllr Alan Dension elected as Chairman .Proposed by Cllr E.Timms seconded by Cllr A Hilton. Cllr A Dension signed the Chairman's Declaration of Acceptance. | | |
| 3. Election of Vice Chairman 2005/2006. Cllr E Timms was elected as Vice Chairman. Proposed by Cllr M Creed.Seconded by Cllr R Russell. | | |
| 4. Apologies for absence were received from Cllr A Hunt. | | |
| 5. Registration of Financial and other Interests.All Councillors in attendance signed the declaration that their financial and other interests remain unchanged. Clerk to contact those absent. | | Clerk |
| 6. Appointments to Sub-Committees and Meetings Calander.All councillors present completed their sub committee forms and all received a copy of the Meeting Calender.Clerk to contact those absent. | | Clerk |
| 7. To sign and approve the Minutes of meeting dated 7 th April 2005. Item 52(v) of the minutes amended to read 'redesignate' instead of 'relocate'. The amended minutes were approved and signed. | | |
| 8. Matters arising from previous Minutes in relation to the various projects to be discussed under Agenda Item 12. | | |
| 9. Members' declaration of Interest for items on the Agenda. Cllr M Creed advised prejudicial interest on Agenda Item 14.Cllr M Creed works for the Huntingdonshire PCT Cllr J.Blackburn advised personal interest on Agenda Item 14. Cllr Blackburn is a member of Save our Surgery Campaign group. | | |
| 10. Planning Committee Report. (see minutes of meeting held 14 th April 2005). Nothing to report. Minutes were approved and signed. | | |

11. Finance & General Committee Report

- (a) The accounts for year ended 31st March 2005 were approved. Proposed by Cllr F.Owens,seconded Cllr J Blackburn.
- (b) Internal Auditors report accepted and approved.

12. Amenities Report-

- (a) Resurfacing footpath (Budget £17000).Clerk has obtained list of approved suppliers from Cambridgeshire County Council. Two further quotations have now been issued . Agenda Item for next Amenities meeting Clerk
- (b) Replacement fence (Budget£7500)Cllr J Blackburn & Cllr R Russell have inspected the two types of fencing. Clerk has contacted Bedfordshire Borough Council for references on Huntree Fencing. Type of bowtop or mesh fencing to be discussed at next Amenities meeting. Clerk advised that colour of fencing should not be soley green in order to comply with Disability Discrimination Act 1995. Agenda item for next Amenities meeting. Clerk
- (c) Replace wetpour junior swings (Budget£6000)Wicksteed have now provided their quote. References to be taken up for Anglian Playgound Services. Cllr E Timms to inspect work at Eynesbury Primary School and Cllr J Blackburn to inspect playpark behind Liddles supermarket. Agenda item for next Amenities meeting. Clerk
- (d) Replace and relay Astroturf playing surface (Budget £3500)Clerk has contacted Lindsay Winters,Parks & Leisure, Cambridge County Council who will provide a further quote for replacing Astroturf. Site visit to be arranged with Clerk & one of the Councillors. Clerk
- (e) Fencing on the playing field. Issue with a resident erecting a fence on playing field (with permission) and there is a dispute over boundary line. Two complaints received from other residents Clerk to contact Colin Meadowcroft, Legal & Estates, HDC for legal advice. Clerk
- (f) Litter in village. All agreed to check every street in village to ascertain worst areas for littering. Clerk to issue street plan to all councillors. Also street names plates to be checked for damage Agenda Item 16(f). Clerk
- (g) Dog handling classes on Playing field It has been brought to the Parish Council's attention that an individual has been taking dog handling classes behind the village hall on Tuesday evenings. This is not a suitable activity to be carried out on playing field, no permission has been requested and there is a bye law that all dogs should be kept on leads on the playing field. Clerk requested to write letter advising that classes must cease. Clerk
- (h) Village Newsletter articles- Ruth Kern from PARC project has been liaising with Cllr M Ross to place an article in next newsletter.

Meeting closed at 8.15pm . Cllr M Creed left the building.

14. Doctors Surgery

Michael Lynch (Chairman PCT) and Janet Dullaghan Director of Nursing & Clinical Services.

Mr Lynch advised that there had been three public meetings and a large written response over the future of the Doctors Surgery. Mr Lynch advised that every letter had been read by executive and non executive directors of the PCT. The formal consultation period will close on 6th May . There will be a public Board Meeting on the 25th May 2005 in the Village Hall in Little Paxton where hopefully a decision will be reached. The format of the meeting is not yet known He advised that the Patient & Public Involvement group have been working together with S.O.S.

My Lynch answered questions from the floor. Mr Peter Hagger, Chairman of SOS, mentioned that the staff at the PCT have been very co operative and are doing their utmost to ensure fairness. C Cllr Robert Clarke advised that HDC were fully supportive of the SOS campaign.

Mr Lynch wished to thank the people of Little Paxton for their complements about the care taking practice and for allowing the PCT to withdraw the original faulty consultation document and allowing them to start the process again.

Meeting reopened 8.40pm

14(b) Save our Surgery Campaign update

Cllr J Blackburn advised that there was now a good relationship with senior officers of the PCT and the S.O.S campaign group has been listened to. S.O.S feel that there is likely to be a positive outcome to the consultation.

(c.) Working with the S.O.S and PCT to consider building a new Doctors Surgery.

Cllr J Blackburn reported that if the surgery is saved we will need to look into the providing an improved facility. Cllr Blackburn proposed a new steering group to be formed to look into this. It was agreed in principle to join a new steering group. Cllr J Willcock, J Blackburn & A Denison to be representatives for the Parish Council. Item to be placed on next Full Council meeting Agenda. Letter to be drafted to HDC re the Rookery site.

Clerk

Clerk

13. Jubilee Clock .John Browne reported that a Faculty was required to remove and repair clock. This has taken almost a year to obtain. Consequently the cost of repairs have increased. The Parish Council presently holds £3603.11 and the repairs including VAT amount to £3656.37. This leaves a shortfall of £53.26. It was agreed that the Council would absorb the shortfall. Clerk requested to write to Ian Haward to request work to be carried out.

Clerk

Clerk to investigate if VAT can be recovered.

Clerk

Mr Browne also raised the matter of ongoing maintenance and is looking at annual contracts. It was agreed that Council would pay for the maintenance.

15. The following payments were approved

| | |
|--|----------|
| E-on Energy-Street Lights- Direct Debit | £45.50 |
| CALC-Annual subscription- Cheque Serial No.102051 | £508.89 |
| CPRE-Annual Subscription- Cheque Serial No.102052 | £25.00 |
| Hire or Buy Ltd- Hire of Mower- Cheque Serial No.102053 | £27.26 |
| Eaton Tractors Ltd- oil- Cheque Serial No.102054 | £18.86 |
| Money Matters(St.Ives)Ltd- Internal Audit 22/04/05 Cheque Serial No.102055 | £33.75 |
| MJA Roofing Contractors-Repair bus shelter roof Gordon Road- Cheque Serial No.102056 | £52.87 |
| J Gellatly-Frosts Brampton Gardening Competition prizes- Cheque Serial No.102057 | £35.00 |
| J.Gellatly- A.Freeman Engraving Trophy- Cheque Serial No.102058 | £5.95 |
| J.Gellatly-Clerk Salary/Expenses April 05- Cheque Serial No.102059 | £736.52 |
| P.Stentiford- Groundsman Salary/Expenses April 2005- Cheque Serial No.102060 | £314.96 |
| Inland Revenue-PAYE/NI -April 2005- Cheque Serial No.102061 | £185.95 |
| Zurich Municipal-Annual Insurance premium- Cheque Serial No.102063 | £3270.14 |

Clerk

Letter to Barclays Bank for £8000 Inter Account Transfer.
Letter to Barclays Bank requested release of Title Deeds.

16. Correspondence Received

- CALC training courses-Approved nomination of Clerk on the Archiving Parish Council Papers course £40 on 3rd September 2005
- CALC District meetings-information only
- Cambridgeshire Constabulary-meeting about PCSOs.Cllr E Timms agreed to attend on Tuesday 31st May 2005.
- NSPCC Donation request-not proceeded with
- Peter Hagger Donation request for new Introduction to village booklet. Cllr M Ross suggested that Mr Peter Hagger works together with Village Newsletter Committee. Extra costs may arise and it was suggested that a budget/costings be produced.
- HDC Street Nameplates- see Item 12(f)
- HDC Flood Forum-Cllr J Willcock to be Parish Representative
- HDC Access to information-Clerk to ascertain more information
- Girlguiding Thank you letter-information only
- Trafalgar Weekend-Agenda Item for next meeting

Clerk

Cllr E
Timms
Clerk
Cllr M
Ross

Cllr
Willcock
Clerk

Clerk

Clerk

17. County Councillor Robert Clarke in his report suggested that the new District and County Councillors are given their slot at the beginning of the Council meeting with a time limit say 10 minutes. Agreed.

Clerk

Clerk

Clerk was requested to write to the new District and County Councillors to invite them to Council meetings. Agreed.
 Cllr Clarke suggested that Parish Council contact HDC and County Council to enquire about planting floral arrangements as an attractive entrance to the village from the A1 road. Clerk to contact Richard Kingston, Cambridge County Council for advise and costings.
 Cllr Clarke that the Parish Council follows up Flooding issues at Mill Lane with the new District & County Councillors.

- 18. Date of Finance meeting 12th May 2005-rescheduled to 2nd June 7pm
- Date of Planning meeting 19th May 2005
- Date of Amenities meeting 26th May 2005

Meeting closed 9.40pm


 SignedChairman

LITTLE PAXTON PARISH COUNCIL.

(Clerk of the Council. Mrs J.Gellatly, 11 Hayling Avenue, Little Paxton. St Neots. PE19 6HG)
(Telephone. 01480 470193) (e-mail. littlepaxton@hotmail.com)

Minutes of the Full Council meeting held in the Committee Room in Little Paxton Village Hall on Thursday 2nd June 2005.

Present: Cllrs A. Denison, E. Timms, R. Russell, J. Willcock, A. Hunt, M. Ross, F. Owens, J. Blackburn, P. Martin, M. Creed, County Cllr D. Harty, District Cllr K. Churchill and the Clerk J. Gellatly.

- | Agenda Item | Power Action |
|--|----------------------------|
| 22. Apologies for absence were received from Cllr. P. Harris (Holiday), County Cllr Lee (Holiday). | |
| 23. Report from District/County Councillors. Cllr Harty gave a brief introduction and will support and help the Parish Council in its work. Cllr Sharon Lee provided a short emailed report which was read out by the Clerk. Cllr Churchill gave a brief introduction and advised that he is concerned about the Bydand Lane development and Development Control Panel has recommended outline planning permission to the Full Cabinet. Cllr Churchill also reported that with regards to the Core Strategy Consultation he supports the Parish Council's view that Little Paxton should be considered Key Centre for Limited Growth. Cllr Churchill reported that he is keen to get involved with the Parish Plan and willing to assist in the PARC project. There has been an issue with a resident in the High Street with regards to footballs being kicked over the Scout Hut and landing in the resident's garden. Meeting with resident to be arranged to discuss. | Cllr Churchill Clerk |
| 24. The Minutes of Annual Parish meeting dated 22 nd April 2005 were amended on page 4 PARC Project to include Hilton. The minutes were approved and signed. | |
| 25. Matters arising from Minutes of Annual Parish meeting. Kevin James, HDC Community Fire Safety Officer to be contacted regarding Fire Home Risk Assessments. | Clerk |
| 26. The Minutes of the Special meeting dated 12 th May 2005 were approved and signed. | |
| 27. The Minutes of meeting dated 4 th May were approved and signed. | |
| 28. Matters arising from previous Minutes. Clerk has investigated VAT recovery in connection with Village Clock repairs and advised that as we do not have an insurable interest and do not own the Clock, the Council is unable to reclaim any VAT paid. | |
| 29. Members' declaration of Interest for items on the Agenda. Cllr John Blackburn personal interest Agenda Item 38 | |
| 30. Good Housekeeping | |
| (i) Clerk reminded Councillors to advise apologies for absence and that the reason is to be minuted. | |

- (ii) Clerk to advise each month what items of circulating correspondence is still circulating. All non urgent correspondence to be placed in folder and made available for perusal at each Full Council meeting. Clerk
- (iii) All Councillors to be provided with an up to date E mail list. Clerk
31. Parish Council Vacancies. There are at present 4 Vacancies on the Council. Clerk to place vacancy notices on Notice Boards week commencing 4th July to coincide with article in Village Newsletter. Clerk
32. Designing and setting up a Parish Council Website. It was agreed to consider setting up a Parish website to enable all Little Paxton groups and organisations to contribute their details. Agenda item for next meeting. Clerk to investigate. Clerk
34. Parish Plan. It was agreed to set up a Steering Group to look into starting a Parish Plan. Cllr E.Timms and Cllr M.Creed to co-ordinate. Clerk has received a letter from Mr. David Jones who wishes to join the Steering Group as the IT Co-ordinator. Further article re Parish Plans to be printed in Village Newsletter. Cllr Timms
Cllr Creed
34. Bottle Banks- Item to placed on next meeting's Agenda Clerk
35. Planning Committee Report. (see minutes of meeting held 19th May 2005) Clerk
- (i) Application 0501195 Ful 21 Jubilee Close, Little Paxton. Extensions and alterations to dwelling Applicant Mr & Mrs Matheson. Approved. It was agreed that the planning application would have no detrimental impact on either the area or neighbouring properties.
- (ii) Application 0501565 Ful 6 Dial Close, Little Paxton. Erection of garage. Applicant Mr & Mrs Grabowski. Approved. It was agreed that the planning application would have no detrimental impact on either the area or neighbouring properties. Clerk
- (iii) 403101OUT Land off Bydand Lane. Correspondence regarding the Development Control meeting was forwarded to Great Paxton Parish Council by HDC in error. Consequently, no opportunity to discuss and advise our comments. Formal letter of complaint to be issued to HDC. Also request to HDC to ascertain what is available under the 106 agreement. Clerk
36. Finance & General Committee Report. None.
37. Amenities Report- (see minutes of meeting 26th May 2005) Rospa to be contacted re Playground Annual Inspection. Cllr F.Owens to arrange meeting with Allotment holders Clerk
Cllr Owens
- (a) Fencing on the playing field. Clerk to contact HDC Legal & Estates requesting further advice. All Cllrs
& Clerk
- (b) Litter in village. Clerk issued pro forma to each Councillor so that each street in village is checked for amount of litter and to see if any street name plates need repair. Pro formas to be returned at next Full Council meeting Cllr P
- (c) Dog handling classes on Playing field. Site visit to playing field on Tuesday 7th June to see if dog handling classes have ceased. Follow Clerk

up letter to be issued if required.

38. Doctors Surgery- Cllr John Blackburn to reported that PCT have written to all patients advising that Surgery will remain open. SOS plan to meet with the PCT next week. Steering group will be required to be set up.

It was agreed to write to PCT emphasising our need to be involved with all aspects of the new Surgery in particular setting up the tender document and ensuring that there is a clear transparent objectives in the selection process. It is essential that the Parish Council is on the selection board/panel.

Letter from SOS thanking the Parish Council for its help and support throughout the campaign.

SOS are having a Party in the Park on the 1st July and permission is requested to place a marquee on the playing field. Approved.

Cllr
Denison
& Clerk

39. To approve payment of outstanding accounts

Clerk

| | |
|---|---------|
| BT Direct Debit -Council Phones *1 | 207.09 |
| E-on Energy- Street Lights May 2005- Direct Debit | 45.50 |
| E-on Energy- Street Lights June 2004*2-Direct Debit | 45.50 |
| Hire or Buy group Ltd- Equipment Hire-chq no 102064 | 102.93 |
| ESPO- Health & Safety items-chq no. 102065 | 50.15 |
| CALC- Archive Workshop for Clerk-chq no.102066 | 40.00 |
| HSE Books- Accident Book- chq no. 102068 | 5.58 |
| Arthur Ibbett Ltd-maintenance materials-chq no. 102069 | 12.40 |
| J.Gellatly-Clerk Salary/Expenses May 05-chq no. 102070 | 737.91 |
| P.Stentiford- Groundsman Salary/Expenses May 2005 chq no 102071 | 352.47 |
| Inland Revenue-NI -May 2005-chq no. 102072 | 65.31 |
| S137 Donation -Little Paxton Football Club -Min 291- chq no. 102073 | 150.00 |
| S137 Donation- St.James Church- Min291-chq no. 102074 | 800.00 |
| S137 Donation - Paxfest- Min291- chq no. 102075 | 150.00 |
| Anglian Water Direct debit- Water charges allotments | 24.24 |
| Bank of Scotland- lodgement to open new account chq no. 102076 | 1000.00 |

1
1
1

*1 Bill in dispute. BT have charged a one off charge £115 which they cannot explain. Clerk to follow up.

Clerk

40. Correspondence Received

- (a) Trafalgar Weekend- Clerk to liase with John Browne to ascertain when clock will re installed into church. Item to be place on next months Agenda.
- (b) Little Paxton Gardening Club- Permission agreed to park camper van behind village hall on Paxfest 16 July 2005.
- (c) Paxfest meeting- Wednesday 22June 2005 Village Hall 7.45pma
- (d) Changes to Local Bus Services-information only

Clerk

Clerk

Clerk



- (e) CALC AGM Information only. CALC course on Charity Trustee & the Law.
Cllr John Blackburn agreed to attend.
- (f) Vitalise Donation request- unable to assist.
- (g) Zurich Municipal Health & Safety Seminar-information only.
- (h) Letter of apology from Cllr.A.Hunt

42. Date of Planning meeting 16th June 2005
Date of Full Council Planning meeting 7th July 2005

Meeting closed 9.40pm

Signed

 Chairman

Power

1. Local Government Act 1972 Section 137

LITTLE PAXTON PARISH COUNCIL.

*(Clerk of the Council: Mrs J.Gellatly, 11 Hayling Avenue, Little Paxton, St Neots. PE19 6HG)
(Telephone: 01480 470193) (e-mail: littlepaxton@hotmail.com)*

Minutes of the Full Council meeting held in the Committee Room in Little Paxton Village Hall on Thursday 7th July 2nd 2005.

Present: Cllrs A. Denison, E. Timms, J. Willcock, M. Ross, F. Owens, J. Blackburn, M. Creed, P. Harris, County Cllr D. Harty, District Cllr K. Churchill and the Clerk J. Gellatly:

Agenda Item

Power Action

43. Apologies for absence were received from Cllr A. Hunt (holiday), Cllr P. Martin (work), Cllr R. Russell (holiday) & Cllr S. Lee.

44. Report from District/County Councillors.

Cllr Churchill reported that he intends to hold a surgery in the village hall on a regular basis and invited the Parish Council to send representatives. It was agreed to try the surgery for six months and Parish Councillors may attend on a voluntary basis.

Cllr Churchill stressed the importance of the Core Strategy and encouraged everyone to complete and return the recently delivered surveys to try and ensure that Little Paxton is considered a Key Centre (Limited Growth) as apposed to Key Centre (Potential Growth).

With regards to the Bydand Lane Planning application, this has now got to go back to the Development Control Panel meeting on the 25th July 2005. Cllr Churchill to contact Cllr Denison if a presentation is required at the meeting.

Cllr Owens requested Cllr Churchill to provide a contact at HDC for allotments.

Cllr Harty gave a brief report.

45. The Minutes of the Full Council meeting dated 2nd June 2005 were approved and signed.

46. Matters arising from previous Minutes.

Cllr Timms & Cllr Creed have arranged a stand at Paxfest to promote the Parish Plan. They intend to have a prize draw as part of their interactive stall and requested to purchase the prize of a £10 gift Voucher. Approved. Notices are now displayed on Parish Notice Boards regarding vacancies on the Parish Council.

HDC Fire Brigade contacted re Fire Home Risk Assessments. Meeting required to discuss in more detail. Cllr Creed agreed to attend along with Clerk. Clerk to arrange.

Matter regarding fence on playing field to be discussed after Agenda Item 63.

* 47. Members' declaration of Interest for items on the Agenda. None.

48. Good Housekeeping

(i) Circulating correspondence & other non urgent correspondence
Clerk reminder Councillors that CALC May Bulletin issued on May is still

All

Cllr
Churchill
Cllr
Churchill

Clerk

All

outstanding.

49. Designing and setting up a Parish Council Website. Cllr P Martin has purchased for the Council at a price of £6.90, the website domain littlepaxton.org.uk. Clerk has contacted CALC for advice on website set up and they advised to contact them again at the end of July. Agenda item for next meeting. Clerk

50. Bottle Banks-Item to be placed on Agenda for next meeting. Clerk

51. Litter and Street surveys to be completed by 1st September 2005. Agenda item for next meeting. Clerk

52. Welcome to Little Paxton newsletter- Cllr M.Ross reported that a Welcome to Little Paxton newsletter has been completed by Peter Hagger. A few minor amendments required. Cllr Ross to invite Mr.Hagger to next newsletter meeting to discuss. Invoice to Bloor Homes for £65 approved. Cllr Ross

53. Contract of Employment for the Clerk requires to be updated in line with model Contract drawn up by NALC. Agenda item for next meeting. Clerk

54. Village Hall- Cllr J.Blackburn to reported that he was concerned with the outside appearance of the village hall in particular the flaking paint on doorframes, doors and windows. Clerk requested to contact Village Hall Committee to request a copy of their maintenance plan and budget requirements .Cllr Harris who is a member of the Village Hall Committee to also raise the issue at their next meeting. Clerk

Concern raised also about the effectiveness of the current CCTV system. Clerk requested to contact PC Russell Simpson for advise as to what CCTV system would be more appropriate. Cllr Harris

55. Mr.Brian Ogden HDC Arboricultural Officer gave a discussion on Tree Preservation Orders and Felling Certificates.He advised that he can supply an A3 map with all the TPO's highlighted.A Tree Preservation Order can only be issued when a tree is under threat, is considered a point of beauty or for public benefit. A TPO can cover one tree or an area of trees. If a tree with a TPO has to be removed due to decay then a tree should be planted in its place and this will be covered by the original TPO.HDC try to promote good tree care in the area. A tree is defined as a woody species with a single stem. Clerk

Clerk to request copy of A3 map. Clerk

56. Planning Committee Report. (see minutes of meeting held 16th June 2005)
Delete sentence on Item 19 'It was agreed that...on the Parish Council's behalf'. Clerk

(i) Application 050194FUL Glenmore, Hayling Walk, Little Paxton. Erection of triple garage. Applicant Mr & Mrs Levitt. Approved. It was agreed that the planning application would have no detrimental impact on either the area or neighbouring properties. Clerk

(ii) Application 0501931FUL North Lodge, Little Paxton, Lane, Little Paxton. Applicant. Mr. Rayner. Approved. It was agreed that the planning application would have no detrimental impact on either the area or neighbouring properties. Clerk

(iii) Huntingdonshire Local Development Framework. Further documentation has now been received. Our previous comments Clerk

- (iv) have not been noted. Clerk requested to chase for a reply. Agenda Item for Planning meeting. Clerk
- (v) Residential Development Land off Bydand Lane. Awaiting further information regarding Development Control Panel meeting 25 July 2005. Cllr Harty/Clerk
- (vi) Little Paxton Pre-School new building. Matter to be referred to Cllr Harty. Clerk
- (vii) Clerk requested to contact HDC requesting criteria for listed buildings. Particular concern over the three Lodges.

57. Finance & General Committee Report (see minutes 2nd June 2005). The minutes were approved and signed.

58. Amenities Report- (see minutes of meeting 26th May 2005). The minutes were approved and signed.

- (i) ROSPA report 2005. A quotation has been requested to repair gates. Clerk to ensure playground checked weekly. With regards to various safety surfacing, repairs temporary on hold until new site for Doctors Surgery agreed. Clerk
- (ii) Playing field Gate Licensing-HDC have provided a style of Licence to be issued annually to residents who have a gate which opens onto the playing field. Agenda Item for next meeting. Clerk
- (iii) Allotments Holders meeting- Cllr F Owens gave a brief report and requested Item to be placed on next Amenities agenda. Clerk
- (iv) Cemetery-Clerk raised concern over the condition of burial plots and is to provide funeral directors with specification for grave diggers. Clerk to request from Funeral Directors copy of safe practices of work. Clerk
- (v) PARC Project Agreement. Agenda Item for Finance meeting. Clerk

59. Doctors Surgery- Cllr John Blackburn reported they have established a good relationship with PCT and are now moving forward with new building project. Both the playground and The Rookery are acceptable sites. Awaiting response from HDC over securing the land at The Rookery and Clerk requested to chase. The aim is to apply for outline planning permission for both sites. Clerk

With regards to the project group, it was agreed that Cllr Denison and Cllr Willcock to represent the Parish Council, Cllr Blackburn and Peter Hagger to represent S.O.S. At future meetings of the project group a chairman will be appointed.

60. To approve payment of outstanding accounts



perusal.

- (g) Huntingdonshire District Guide 2005/2006-Information only
- (h) Huntingdonshire PCT AGM-Tuesday 20th September 2005.Information only.
- (i) BT proposals to realign payphone provision-Clerk requested to object to proposed changes.
- (j) Paxfest Thank you letter
- (k) CCC Changes to mobile library route-proposed changes to Monday 10.20am-10.40am acceptable.

Clerk

Clerk

- 63. Date of Finance meeting 14th July 2005
- Dat of Planning meeting 21st July 2005 & 18th August 2005
- Date of Full Council 1st September 2005

64.Matters Arising- Fence on playing field 9.50pm.

Cllr A Denison read out

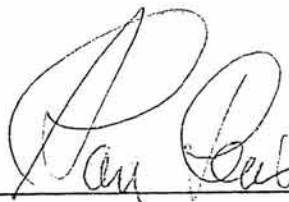
'That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw'.

It was proposed by Cllr Harris that a letters are issued to the residents that have objected to the fence advising that as there are uncertainties as to the exact position of the boundary line, the Council does not wish to incur unnecessary possible costs to the village. Seconded Cllr Blackburn.

At 10.35pm Press and Public invited to return to the meeting.

Meeting closed 10.37 pm

Signed



Alan Blackburn Chairman

Power

1. Local Government Act 1972 Section 137

A confidential report of Agenda Item 64 is held with the Parish Clerk

| | |
|--|---------|
| Zurich Municipal-Laptop & Fidelity Insurance -chq no. 010001 | 44.24 |
| Rospa- Playground Inspection-chq no. 010002 | 223.25 |
| Drayton Electronic Services-PAT testing-chq no.010003 | 58.75 |
| ESPO-Fire Extinguishers-chq no.010004 | 41.13 |
| IRS Ltd- Signage-chq no.010005 | 27.87 |
| CCVYS-Parc Project-chq no.010006 | 1700.00 |
| CALC- Audit manual inserts/vacancy posters-chq no 010007. | 13.74 |
| CALC- Charity/Trustee workshop-chq no.010008 | 40.00 |
| Hire or Buy Group Ltd- Equipment hire- chq no010009 | 168.69 |
| Arthur Ibbett Ltd- Maintenance materials- chq no010010 | 87.50 |
| Eaton Tractors Ltd- oil- chq no010011 | 21.15 |
| St.Neots Museum-Free entry admission 2005/2006-S137 chq no.010012 | 165.00 |
| Little Paxton Post Office Contribution July -S137- chq no.010013 | 250.00 |
| Cllr P.Martin-Purchase website domain(awaiting invoice no cheque issued) | 6.90 |
| J.Gellatly-First Aid Manual (Ottakars)- chq no.010014 | 11.99 |
| J.Gellatly-Clerk Salary/Expenses June 2005- chq no.010015 | 737.20 |
| P.Stentiford- Groundsman Salary/Expenses June 2005- chq no.010016 | 449.64 |
| Inland Revenue PAYE/NI- chq no.010017 | 143.72 |
| Inmac-Laptop & Accessories & Warranty- chq no.10018 | 983.30 |
| Express Printing- July newsletter S137- chq no.010020 | 229.90 |
| Haward Horological Ltd- Clock repairs-chq no.100020 | 3276.84 |
| Mr John Brown- Balance of Jubilee funds for clock-chq no. 010021 | 326.27 |

*1

*1

*1

Clerk

Bill in dispute. BT have charged a one off charge £115 which they cannot explain. They are currently investigating matter.Clerk requested to chase.

61.It was agreed that Cllr Denison & Cllr Timms to have delegated powers to sign cheques for invoices and salaries for August as there will be no Full Council meeting.

Cllr
Denison &
Cllr Timms

62. Correspondence Received

- (a) Luminus LP Street Warden-Clerk requested to contact the Street Warden for further information and arrange a meeting for say October 2005.
- (b) Huntingdonshire Football Association Lit- Goal Post Safety Scheme-Information only.
- (c) CCC 106 Agreement Land at Pitt Farm-Information only
- (d) DEFRA Clean Neighbourhoods & Environment Act 2005- Information only.
- (e) CCC Huntingdonshire Traffic Management Area Joint Committee- Information only.
- (f) Papworth Hospital Consultation Document-Documents issued for

Clerk

LITTLE PAXTON PARISH COUNCIL.

(Clerk of the Council: Mrs J.Gellatly, 11 Hayling Avenue, Little Paxton, St Neots. PE19 6HG)
(Telephone: 01480 470193) (e-mail: littlepaxton@hotmail.com)

Minutes of the Full Council meeting held in the Committee Room in Little Paxton Village Hall on Thursday 7th July 2nd 2005.

Present: Cllrs A. Denison, E. Timms, J. Willcock, M. Ross, F. Owens, J. Blackburn, M. Creed, P. Harris, and the Clerk J. Gellatly.

Agenda Item

Power Action

64. Matters Arising- Fence on playing field 9.50pm

Cllr A Denison read out

'That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw'.


Cllr Denison reported that he and the Clerk had an informal meeting with Mr. Dring, 31 Lakefield Avenue, Little Paxton. Mr Dring is not trying to gain extra land and recognises fence is on Parish land. *

It was proposed by Cllr Harris that letters are issued to the residents that have objected to the fence advising that as there are uncertainties as to the exact position of the boundary line, the Council does not wish to incur unnecessary possible costs to the village. Seconded Cllr Blackburn. Approved.

Improving hedging and greenery around the playing field to be discussed as a separate issue at a later date.

At 10.35pm Press and Public invited to return to the meeting.

Signed

 Chairman

Mr D A Dring
31 Lakefield Avenue
Little Paxton
St Neots
Cambs
PE19 6NZ

4 May 2006

Dear Mr & Mrs Dean,

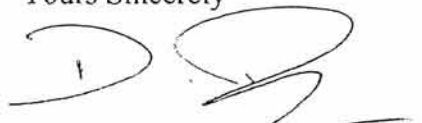
With further reference to your letter, which I have to say considering the content of your correspondence with the parish council with over the last 12 months, I read with considerable amusement!

To ensure that there is no misunderstanding with our scribbled note we do not accept that the fence post is positioned on your property, and therefore do not give you permission to take ownership.

However we have always tried to be good neighbours and are therefore more than happy for you to utilise our post if it is of assistance when you erect you new fence.

We have on this occasion resisted the temptation to call on you in person to discuss this issue. It is however our intention to discuss any future issues in person so that they can be addressed in a more mature manner.

Yours Sincerely


David Dring & Beverley Dring.

Copy To

Jennifer Gellatly (Parish Clerk)
11 Hayling Avenue
Little Paxton
St Neots
Cambs
PE19 6HG

Little Paxton Parish Council

Ref: LetDean100506

10th May 2006

Mrs S Dean
29 Lakefield Avenue
Little Paxton
PE19 6NZ

Dear Mrs Dean

Thank you for your letter of the 4th May regarding the Data Protection Act 1998.

I would like to refer you to our letter dated 22nd July 2005 and reiterate that all Parish Council documents, whether received by the Parish Council or issued by the Parish Council are public documents and are in the Public domain.

Furthermore, they are also available for public scrutiny under the Freedom of Information Act 2000.

However, the Parish Council has not received any requests from Mr. & Mrs Dring to view any correspondence and to that end; no information has been released by the Parish Council.

I trust this satisfies your enquiry.

Yours sincerely,


Mrs Jennifer Gellatly
Parish Clerk

*Parish Clerk: Mrs J. Gellatly (MCIBS, Chartered Banker), 11 Hayling Avenue,
Little Paxton, St Neots, Cambs PE19 6HG
Telephone: 01480 470193 e-mail: littlepaxton@hotmail.com*

Little Paxton Parish Council

Ref: LetDean230506

23rd May 2006

Mrs S Dean
29 Lakefield Avenue
Little Paxton
PE19 6NZ

Dear Mrs Dean

Thank you for your letter of the 15th May requesting copies of correspondence and now enclose the following copy letters:

12/01/06 Letter to Mr Dring with Risk Assessment
14/01/06 Reply from Mr. Dring
16/01/06 Reply from Mr. Dring

There is no written correspondence from Huntingdonshire District Council

I wish to reiterate again that Mr & Mrs Dring have not requested copies of any correspondence and none has been issued or divulged from the Parish Office.

I trust this satisfies your enquiry.

Yours sincerely,


Mrs Jennifer Gellatly
Parish Clerk

*Parish Clerk: Mrs J. Gellatly (MCIBS, Chartered Banker), 11 Hayling Avenue,
Little Paxton, St Neots, Cambs PE19 6HG
Telephone: 01480 470193 e-mail: littlepaxton@hotmail.com*

29 Lakefield Avenue
 Little Paxton
 Huntingdon
 Cambs
 PE19 6NZ

Ms C Deller
 Democratic Services Manager
 Administration Division
 Huntingdonshire District Council
 Pathfinder House
 St Mary's Street
 Huntingdon
 Cambs
 PE29 3BR

16th November 2006

Dear Ms Deller

Thank you for your report, which I received on the 8th November 2006. I am however disappointed with much of the content of the report. I have detailed below the main points of dispute but would appreciate a meeting with you prior to your report being finalised.

1. My letter of the 4th May 2005 was circulated to all members of the Parish Council. However the question raised and by whom was not discussed. The item in question was already an agenda item. I was also at this meeting and know for a fact that neither my letter or my name was read out at the meeting, therefore nobody other than the Council members were aware of the content or the writer of the letter.
2. By Cllr Willcock own admission he has acknowledged that he has been in contact with Mr Dring in the past over Parish Council business, so discussing Parish Council business is obviously not uncommon between the two parties. I find it extraordinary that **both** Cllr Willcock and Mr Dring use the word "acquaintance" when describing their friendship. Furthermore if they are only acquaintances how is it that Mr Drings youngest son of approximately 10/11 years of age has been seen to run to greet Cllr Willcock and his wife when they have visited the house?
3. I can never recall seeing Cllr Willcock and Mr Dring "chatting" outside Mr Drings house. Whenever Cllr Willcock and his wife have visited Mr Dring they have walked straight around the back of Mr Drings property. Furthermore in Cllr Willcocks statement that he "chatted" to Mr Dring while en route to a close friend that lives at No 27 is ludicrous, Cllr Willcock would have to pass his friends house at No 27 in order to get to Mr Drings house. **(See attached plan of house positions).** Hardly en route!

4. Cllr Willcock states that he had not participated in any site meetings with the Drings or us and yet when asked about his relationship with Mr Dring Cllr Willcock has admitted that he visited the Drings on one occasion to inspect the position of the fence! Was he visiting in his capacity as Councillor or friend?
5. The Parish Clerk, Chairman of the Parish Council and Cllr Willcock have all indicated that Cllr Willcocks involvement had not influenced any decision made by them however, both have admitted that Cllr Willcock contribution to the meeting held on the 7th July 2005 was "confined to advice about the consequences of a decision for the Parish Council". It is usual that if someone's "advice" is sought or offered people tend to take note of that advice.
6. I reiterate again that the subject matter of the letter given to the Parish Council was not read out at the meeting held on the 4th May 2005 nor were it's contents discussed. The letter was handed to the Councillors present who read the letter and then proceeded to discuss possible ways of resolving the problem. There is no way anybody in the public gallery would have had knowledge of the contents of the letter or my personal concerns.
7. The public cannot access correspondence from a parishioner to the Parish Council unless they approach the Parish Clerk by formal request. It is the correspondence that Cllr Willcock has had access to in his capacity as a Councillor that I believe has been "shared" possibly verbally with the Drings. I have never suggested that Cllr Willcock had obtained the information illegally.
8. Mr Dring states in his e-mail dated the 29th September 2006 to the Investigating Officer that the parish council had forwarded copies of responses sent by myself to them to Mr Dring and that is how he became aware of the ongoing correspondence between the Parish Council and myself. Furthermore diary references produced by the Parish Clerk indicate that Mr Dring had been involved in an exchange of correspondence with the Parish Council to inform him of the outstanding dispute with myself. On the 15th May 2006 (**See attached letter**) I wrote a letter to the Parish Clerk requesting sight of all correspondence between the Parish Council, Huntingdon District Council and Mr Dring under the Freedom of Information Act 2000. I was sent a copy of a letter dated 12th January 2006 to Mr Dring with regard to a Risk Assessment; a copy of the reply from Mr Dring dated 14th January 2006 and a copy of a letter dated 16th January 2006 from Mr Dring. Is the Clerk suggesting that there was more correspondence to and from the Drings that she declined to forward under my request? Furthermore if the clerk knew that the parish council had forwarded all my correspondence to Mr Dring (as stated in his e-mail to the Investigating Officer dated the 29th September 2006) why when I challenged the clerk on two separate occasions as to how Mr Dring had had sight of this information did she not advise me that the parish council had sent copies of my correspondence to him (**See attached letters**)

9. In the report both the Parish Chairman and the Parish Clerk state that they were aware of the exact nature of Cllr Willcocks relationship with the Drings. How can they independently verify his relationship to Mr Dring as the information they have on this matter is likely to be based on what Cllr Willcock has told them **after** the commencement of the investigation. After all upon joining the council you are not required to inform anyone about relationships you may or may not have with other villagers.

I was disappointed that I was not informed of your contact with Mr Dring. I believe that Mr Drings friendship with Cllr Willcock would influence the reliability of his responses. Had I been made aware of your contact with Mr Dring I would have produced an independent witness to substantiate my claim that Cllr Willcock and Mr Dring are more than acquaintances.

I look forward to hearing from you very soon with regard to arranging a mutually agreeable date for a meeting.

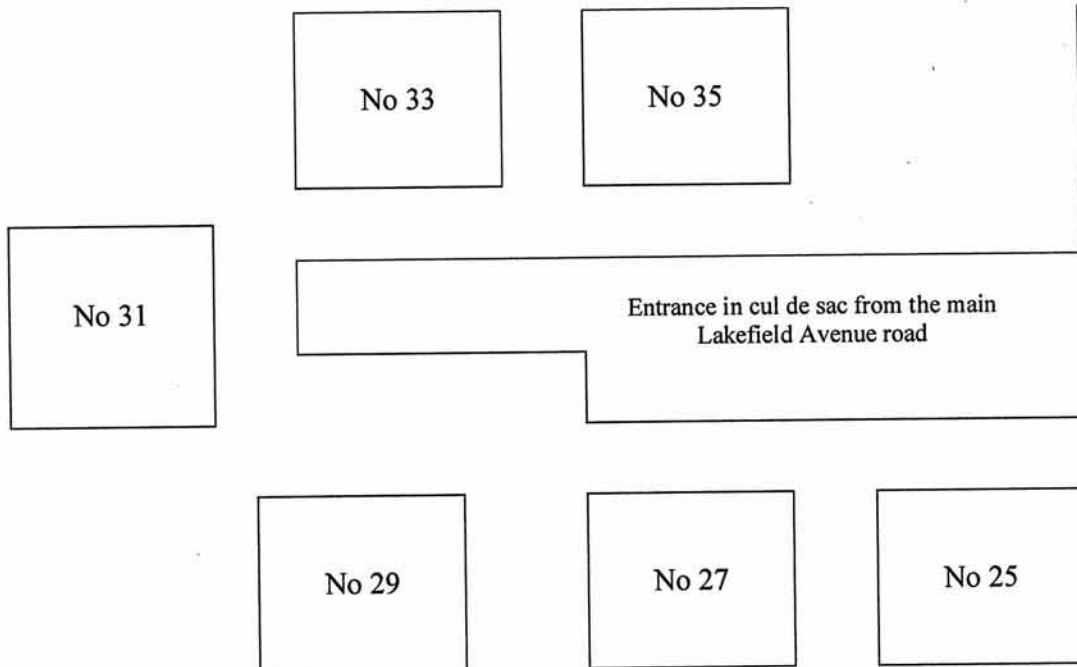
Yours sincerely



Mrs S Dean

See point 3

LAKEFIELD AVENUE NO.s 25 – 35



As you can see from the above layout of the houses in the cul de sac, there is no way that Cllr Willcock can pass Mr Drings (Number 31) house whilst en route to visiting his "close" friend at number 27

Point 8

Little Paxton Parish Council

Ref: LetDean100506

10th May 2006

Mrs S Dean
29 Lakefield Avenue
Little Paxton
PE19 6NZ

Dear Mrs Dean

Thank you for your letter of the 4th May regarding the Data Protection Act 1998.

I would like to refer you to our letter dated 22nd July 2005 and reiterate that all Parish Council documents, whether received by the Parish Council or issued by the Parish Council are public documents and are in the Public domain.

Furthermore, they are also available for public scrutiny under the Freedom of Information Act 2000.

However, the Parish Council has not received any requests from Mr. & Mrs Dring to view any correspondence and to that end, no information has been released by the Parish Council.

I trust this satisfies your enquiry.

Yours sincerely,


Mrs Jennifer Gellatly
Parish Clerk

Parish Clerk: Mrs J. Gellatly (MCIBS, Chartered Banker), 11 Hayling Avenue,
Little Paxton, St Neots, Cambs PE19 6HG
Telephone: 01480 470193 e-mail: littlepaxton@hotmail.com

Point 8

29 Lakefield Avenue
Little Paxton
Huntingdon
Cambs
PE19 6NZ

Mrs J Gellatly
Parish Clerk
11 Hayling Avenue
Little Paxton
Huntingdon
Cambs
PE19 6HG

15th May 2006

Dear Mrs Gellatly

Thank you for your letter dated 10th May 2006 outlining the Parish Councils rules on the Data Protection Act 1998 and the Freedom of Information Act 2000.

As you confirm in your letter dated the 10th May 2006 that you have received no official application from Mr & Mrs Dring to obtain access to any correspondence between ourselves and the Parish Council (and I am not in any way suggesting that the Parish Council have operated inappropriately) you can understand my concern at Mr & Mrs Drings comments in their letter to us dated 4th May 2006 a copy of which was sent to you in your capacity as Parish Clerk regarding the content of our correspondence to the Parish Council over the last 12 months. This being the case perhaps you would be so kind as to comment as to how they could have gained access to Parish Council documents without going through the normal channels.

Furthermore I would like to make an official request to have access to all documents and correspondence between the Parish Council, Mr & Mrs During and Huntingdonshire District Council relating to the boundary fence.

I look forward to your reply.

Yours sincerely

Mrs S Dean

Point 8

Little Paxton Parish Council

Ref: LetDean230506

23rd May 2006

Mrs S Dean
29 Lakefield Avenue
Little Paxton
PE19 6NZ

Dear Mrs Dean

Thank you for your letter of the 15th May requesting copies of correspondence and now enclose the following copy letters:

12/01/06 Letter to Mr Dring with Risk Assessment

14/01/06 Reply from Mr. Dring

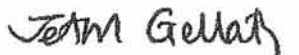
16/01/06 Reply from Mr. Dring

There is no written correspondence from Huntingdonshire District Council

I wish to reiterate again that Mr & Mrs Dring have not requested copies of any correspondence and none has been issued or divulged from the Parish Office.

I trust this satisfies your enquiry.

Yours sincerely,


Mrs Jennifer Gellatly
Parish Clerk

Parish Clerk: Mrs J. Gellatly (MCIBS, Chartered Banker), 11 Hayling Avenue,
Little Paxton, St Neots, Cambs PE19 6HG
Telephone: 01480 470193 e-mail: littlepaxton@hotmail.com

CONFIDENTIAL

Notes of an interview held between Christine Deller, Investigating Officer and Mrs Jenny Gellatly, Clerk to Little Paxton Parish Council on 29th September 2006 commencing at 10.30 am.

1. The Investigating Officer explained the investigation process following the referral of a complaint from the Standards Board for England against a Councillor serving on Little Paxton Parish Council and the proposed format of the interview adding that questions to Mrs Gellatly would largely be directed towards establishing facts and that the formalities with regard to the Code of Conduct had been complied with.

The Investigating Officer also confirmed the areas of the Code alleged to have been breached and the timescale to which the Investigator was working. The Investigating Officer explained that notes of the interview would be taken and that Mrs Gellatly would receive a copy of these to verify as an accurate record.

2. Mrs Gellatly confirmed that Little Paxton Parish Council had resolved to adopt the model code of conduct on 7th May 2002 and that Councillor J Willcock had agreed to abide by the Code in his declaration of acceptance of office. Mrs Gellatly was not aware that Councillor Willcock had received a copy of the code as this would have been dealt with by the previous Clerk.

3. Mrs Gellatly had no record that Councillor Willcock had received training on the Code of Conduct although he had received a copy of the "good councillors guide" published by NATIONAL TRAINING STRATEGY FOR TOWN & PARISH COUNCILS PUBLISHED BY THE COUNTRYSIDE AGENCY.

* ALL C.A.-L.C. TRAINING DATE) ARE ITEMISED UNDER 'CORRESPONDENCE'
Mrs Gellatly would have offered any available training opportunity via an item on the Agenda but Councillor Willcock had not expressed any interest in training at meetings. Mrs Gellatly described Councillor Willcock as a clever and astute person who made valid comments at Parish Council meetings and always had the Council's best interests at heart. It was Mrs Gellatly's view that Councillor Willcock understood the requirements of the code.

4. Mrs Gellatly confirmed that she had been Clerk of Little Paxton Parish Council for two years and had attended a number of courses offered by CALC including "basic clerk" instructions and health and safety. She was currently studying the requirements for establishing Little Paxton as a quality parish council.
5. Mrs Gellatly described the events leading to the submission of the complaint against Councillor Willcock. In March 2005, Mr Dring had asked the Parish Council for permission to erect a fence on the boundary of his garden at 31 Lakefield Avenue and that of the playing field. The Parish Council had no objections provided the new fence was in keeping with those already established. Work on Mr Dring's fence commenced on 12th April. A complaint was received from the owner of ~~28~~³¹ Lakefield Avenue, which suggested the fence was blocking her rear exit and that the concrete

posts supporting the fence had been established beyond rather than inside a hedgerow thus resulting in the fence being erected approximately 45 cm over the boundary of the playing field. Mrs Gellatly admitted that the Parish Council could not precisely identify the boundary. Mrs Gellatly, the Chairman of the Parish Council, Councillor A Denison and Councillor J Blackburn ^{and the} ~~who acted as~~ groundsman visited the site. - ON MORE THAN ONE OCCASION

6. Mrs Gellatly reported that on 4th May 2005 the Parish Council received a letter from Mrs Dean about the fence. Copies of this letter were circulated at the Council meeting held in the evening. The Parish Council agreed to take legal advice on the situation from the District Council.

Mrs Gellatly confirmed that Councillor Willcock had been present at the meeting but had not declared an interest, that she had not found it necessary to advise him to do so, nor had he requested advice on the subject.

7. The item was discussed again at a Council meeting on 2nd June, 2005. The Council had received further advice from the District Council's Estates Officer. This had suggested four options to the Parish Council – that they do nothing, that they sell the strip of land in question to Mr Dring, that they issue a temporary licence or that they seek to remove the fence. The Council agreed to seek further advice from the District Council's Head of Legal and Estates. Mrs Gellatly confirmed that Councillor Willcock was present at the meeting but had not declared an interest.

8. Councillor Willcock was present in the meeting of the Council on 7th July 2005 when the item was discussed again. He did not declare an interest. The item was considered to be confidential business and was conducted in private session by the Parish Council. Bearing in mind the uncertainties regarding the boundary of the fence vis-à-vis adjoining houses and the existence of fences already on the same boundary, the Council decided to take no further action. Mrs Gellatly confirmed that Councillor Willcock had contributed to the debate and had advised that were legal action to be taken, the Parish Council's position was such that they might have to bear the burden of costs.
9. Mrs Gellatly admitted that if she had considered that Councillor Willcock had an interest, she would have raised this with him. Similarly, the Parish Council would have prompted him. They were "very good at that".
10. Regarding Councillor Willcock's relationship with Mr Dring, Mrs Gellately reported that Mr Dring had moved into Number 31 Lakefield Avenue in March 2005, some six weeks prior to the erection of the fence. Mrs Gellately considered that Councillor Willcock would have known of Mr Dring but she could not describe their relationship as a close. No other Councillors lived adjacent to the playing field so were affected by the complaint in terms of potential interests.
11. Mrs Gellatly reiterated that it was the Council and not the Finance Committee who had taken all the decisions on the fence. Mrs Gellatly believed that Councillor Willcock had not influenced the parish council and had only advised of the consequences for the Council should Mr Dring decide to take legal action.

12. In respect of the correspondence between the Parish Council and Mrs Dean, the content of all letters would have been shown to Councillors J Blackburn (Chairman of the Planning Committee) and A Denison (Chairman of the Parish Council) prior to their despatch. Councillor Willcock was aware of the correspondence and that it was ongoing but would not have been privy to the content of individual letters nor able to access them without Mrs Gellatly's knowledge.
13. Mrs Dean and Mrs Cleaver (Number 33) were present at the meeting of the Council held on 4th May when copies of Mrs Dean's letter had been circulated but not read out to the Council. The item was discussed so the issue regarding the fence over the boundary of the playing field would have been aired in public. There was a large public gallery at that meeting because the "save our surgery campaign" was on the same agenda.
14. Mrs Gellatly confirmed that Councillor Willcock would not have had access to the content of the Parish Council's correspondence with Mrs Dean other than by his attendance at meetings of the Parish Council when the content might have been discussed. Councillor Willcock had no involvement in the site visit.
15. Mrs Gellatly confirmed that Mr Dring had not asked for sight of Mrs Dean's correspondence under the Freedom of Information Act and she was firmly of the belief that Councillor Willcock had not had access to any correspondence which would have enabled him to have revealed their content to Mr Dring. Mrs Gellatly added that she believed that Mr Dring would not have been aware of any

correspondence other than his own and any addressed to him. Mrs Gellatly strongly reiterated that she did not release copies of Mrs Dean's correspondence to Mr Dring.

16. In conclusion, Mrs Gellatly stated that the Parish Council had taken advice at every stage and that, in her view, they could not have done any more to meet the requirements of both parties. She believed that there was no foundation to the complaint.
17. Mrs Gellatly wished to point out, that in her view, Mrs Dean has misunderstood the content of a letter from the Dring's dated 4th May 2006 which could be interpreted as saying that the Dring's had had access to Mrs Dean's correspondence over the past 12 months. Mrs Gellatly suggested that this was a misunderstanding on the part of Mrs Dean.

The interview concluded at 11.16 am.

Post Script: The Investigating Officer confirmed in a telephone call to Mrs Gellatly on 5th October 2006, that Councillor Willcock had abstained from voting at the meeting held on 7th July 2005, that no recorded vote had been taken at that meeting but that she had a record of the abstention in her hand written notes.

Signed *Jan Gellatly* ✓

Dated..... *11/10/06*

CONFIDENTIAL

Notes of an interview held between Christine Deller, Investigating Officer and Councillor J Willcock, Little Paxton Parish Council at Cranfield University on 4th October 2006 commencing at 2.15 pm.

1. Following introductions, the Investigating Officer explained the interview process, confirmed the allegations which had been made and the timescale to which the Investigating Officer was working. The Investigating Officer explained that notes of the interview would be taken and that Councillor Willcock would receive a copy of these to verify as an accurate record.
2. Councillor Willcock confirmed that he had been a Councillor for 4/5 years* and recalled making his declaration of acceptance of office and agreeing to abide by the Parish Council's Code of Conduct. This appears to be done annually at Little Paxton Parish Council. Whilst Councillor Willcock did not recall having received a copy of the Code of Conduct specifically he suggested that as the clerk prior to Mrs J Gellately was thorough and methodical, he would have been surprised if it had been overlooked.

Despite being offered the opportunity, Councillor Willcock admitted that he had never participated in any training on the Code of Conduct either offered by CALC or by the District Council and when asked why suggested that they had been held at a time inconvenient to him.

Councillor Willcock volunteered that his interests lay in the financial administration of the Parish Council and that he had not served on any Committee, other than the Parish Council's Finance Committee.

The Investigating Officer confirmed that Councillor Willcock had registered his financial and other interests with the Monitoring Officer at the District Council.

3. Councillor Willcock indicated that he understood the concept of a personal and prejudicial interest. Having been reminded that the question of the fence on the boundary of Mr and Mrs Dring's property and the playing field had arisen at three meetings of the Parish Council, Councillor Willcock confirmed that he had not declared an interest on any of these occasions and when asked why – Councillor Willcock considered that “it was not relevant”. Whilst his house abutted the playing field, it was still some distance away from the Dring's.
4. Councillor Willcock confirmed that neither the Clerk, Chairman or colleague Councillors had offered him advice in this respect nor had anyone suggested before/after the meeting(s) that it might have been prudent for Councillor Willcock to have declared an interest.
5. Councillor Willcock indicated that he contributed to debate on the item “fence on playing field” at a meeting of the Parish Council held on 7th July 2005. Councillor Willcock recalled that he was of the view that the information originally conveyed to the fence contractor had been ambiguous and un-clear and was an insufficient foundation on which to instruct Mr Dring to vary the position of his fence. Mr Willcock

also was concerned that the owners of 3/4 dwellings had similarly placed their rear garden fence on the same boundary and that it would have placed the Parish Council in a very difficult position, if they decided to pursue one owner and not others. Given the financial implications/risk that might result were Mr Dring to pursue a case against the Parish Council, his view that it would be an inappropriate use of the parish precept and the uncertainties that the Parish had about pursuing the matter, the Council had agreed not to take further action.

Councillor Willcock stated that he had not participated in the vote and had abstained. When it was pointed out that this had not been recorded in the Minutes, Councillor Willcock suggested that the Parish Clerk would recall his abstention.**

When asked if he influenced the meeting in making this decision, Councillor Willcock replied that he might have had "some influence" on this one occasion because he was mindful of the wider implications of the decision for the other dwellings abutting the field who had similarly erected fences on the boundary.

Councillor Willcock confirmed that the decision was one taken by the full parish council and not the Finance Committee which he chaired but which rarely met.

6. Councillor Willcock stated that he had never met Mrs Dring until after the complaint had been submitted. He had, however, had some contact with Mr Dring in the past. Mr Dring had lobbied him as parish councillor over a proposed planning application for a residential development close to his previous address at 14 Lakefield Avenue.

Councillor Willcock was not aware that Mr and Mrs Dring had moved to 31 Lakefield Avenue prior to the complaint having been submitted. Councillor Willcock had met Mr Dring once or twice at the gym where they had had a brief exchange – merely pleasantries.

Councillor Willcock visited Mr Dring once at his address at 31 Lakefield Avenue to deliver a copy of the statement he had sent to the Monitoring Officer in response to the complaint made against him. He thought it was courteous to do this. Councillor Willcock indicated that Mr Dring had never visited his home. Councillor Willcock had not visited Mr Dring on behalf of the parish council.

7. Councillor Willcock commented that he had deliberately kept “at arms length” with any involvement in the matter of the “fence on the playing field”. The assessment of the situation, discussions and meetings had been dealt with by the Parish Clerk, Chairman of the Council and the groundsman to the playing field. He had “deliberately kept out of discussions”. When asked why, he commented that Mrs Dean had a reputation for being difficult, so he wanted to “keep well away”. Councillor Willcock stated that he had not seen any correspondence which Mr and Mrs Dean may have written to the Parish Council other than that which may have been circulated to the Council meeting although he had no recall of this either. He denied passing on the contents of the correspondence from Mr and Mrs Dean to Mr and Mrs Dring.
8. Councillor Willcock denied that he had a friendship with Mr and Mrs Dring and suggested their relationship was merely a “very passing acquaintance”.

9. When asked if he had any further information, Councillor Willcock suggested that he wished to add that the complainant had a history of confrontation with the current and previous occupiers of number 31 Lakefield Avenue and that there had been a physical assault on Mr Dring to which the police had been called. Whilst this, as far as Councillor Willcock was aware, was not being pursued he believed Mrs Dean also was following up a complaint against the police. He regretted the disproportionate amount of time which already had been spent on the code of conduct case.
10. The Investigating officer concluded the interview at 2.55pm.

* To be confirmed by Clerk to Little Paxton

** To be confirmed by Clerk to Little Paxton

- 9. When asked if he had any further information, Councillor Willcock suggested that he wished to add that the complainant had a history of confrontation with the current and previous occupiers of number 31 Lakefield Avenue and that there had been a physical assault on Mr Dring to which the police had been called. Whilst this, as far as Councillor Willcock was aware, was not being pursued he believed Mrs Dean also was following up a complaint against he police. He regretted the disproportionate amount of time which already had been spent on the code of conduct case.

- 10. The Investigating officer concluded the interview at 2.55pm.

* To be confirmed by Clerk to Little Paxton

** To be confirmed by Clerk to Little Paxton

Signed 
Date..... 

CONFIDENTIAL

Notes of an interview held between Christine Deller, Investigating Officer and Councillor A Denison, Chairman of Little Paxton Parish Council held on 11th October 2006 commencing at 10.05am in the Chairman's Room, Pathfinder House, Huntingdon.

1. The Investigating Officer explained the investigation process following the referral of a complaint from the Standards Board for England against a Councillor serving on Little Paxton Parish Council.

The Investigating Officer explained that she had chosen to interview Councillor Denison given his position as Chairman of the Parish Council when the complaint arose, his presence at the meetings when the items regarding fence and playing field boundary had been discussed and his ability to act as a witness to the events surrounding the complaint.

The Investigating Officer also confirmed the areas of the code alleged to have breached and the timescale to which the Investigator was working. The Investigating Officer explained that



notes of the interview would be taken and that Councillor Denison would receive a copy of these to verify as an accurate record.

2. Councillor Denison described his involvement in the events leading to the complaint. The problem first came to light when a Councillor spotted a fencing contractor working on the boundary of Mr Drings property at 31 Lakefield Avenue and reported that concrete posts erected by the contractor were encroaching upon parish council land by approximately 18 inches. Councillor Denison admitted that the location of the boundary was debatable. The issue had subsequently been raised at various meetings of the Council. Councillor Denison got the impression that Mr Dring might have taken action against the Parish Council if he had been asked to remove the fence. Councillor Denison confirmed that the District Council's Estates Manager, Keith Phillips, had visited the site and given advice to the Parish Council.

Councillor Denison added that Mrs Dean had complained about the fence and sent various letters to the Parish Council. It had been agreed that the Clerk and Chairman of the Parish Council should meet with Mrs Dean to try to resolve the difficulties. Mrs Dean had been accompanied by her husband. The meeting was prolonged and not terribly productive but Councillor Denison hoped, at that time, that that would have been the end of the problem.

3. Councillor Denison suggested that the Parish Clerk was very good in reminding Councillors to declare their interests and if, in doubt, she would always err on the side of caution and ensure that interests were declared.
4. Councillor Denison could not recall that Councillor Willcock declared an interest in the fence/boundary issue at the three meetings at which the matter was raised. Neither the Clerk nor colleague Members had suggested to Councillor Willcock that he had an interest although Councillor Willcock made no secret of the fact that he knew Mr Dring.
5. Councillor Denison could not recall that Councillor Willcock had contributed anything beneficial to the meetings at which the issue of the fence/boundary had arisen. However, Councillor Willcock made no secret of the fact that he had had a difference of opinion with Mrs Dean and did not hold her in very high regard. Councillor Denison did not believe that Councillor Willcock influenced the Parish Council in its decision making. Councillor Denison recalled that Councillor Willcock abstained from voting at the meeting on 7th July 2005. Councillor Denison confirmed that the contents of Mrs Deans letter circulated to the Council at its meeting on 4th May 2005 had been apparent to all Councillors. He could not recall any specific discussion on the letter when it was first considered by the Parish Council.



6. Although he considered Councillor Willcock to be outspoken, Councillor Denison believed that he had a good understanding of the Code of Conduct.
7. Councillor Denison did not consider that Councillor Willcock had an interest as a resident of Lakefield Avenue nor as a neighbour because he had no view of Mr Drings rear boundary or fence. Councillor Denison had no evidence to suggest either way how much of a friend Councillor Willcock might be to Mr Dring.
8. Councillor Denison confirmed that Councillor Willcock had no involvement in any site meeting which might have been organised by the Clerk to resolve the fence issue. He had not personally discussed the matter with Councillor Willcock and had only been involved in discussions on the subject at meetings of the Parish Council or in liaison with the Parish Clerk.
9. Councillor Denison confirmed that he was not able to access correspondence received by the Parish Council and would only see that distributed to him formally as part of his role as Parish Councillor. Councillor Denison could not recall any conversations taking place outside Parish Council meetings on the fence between himself and Councillor Willcock although Councillor Willcock might have commented about Mrs Dean.

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10. In terms of the relationship between Mr Dring and Councillor Willcock, Councillor Denison suggested that they were casual friends as he believed both had an interest in cricket.
11. Councillor Denison was of the view that Councillor Willcock would have visited Mr Dring at home socially – certainly after the complaint had been made and on more than one occasion.
12. Councillor Denison was firmly of the belief that Councillor Willcock had not used his position to the advantage of the Drings and had no influence over the decision made by the Parish Council on the matter.
13. Councillor Denison could not envisage how Mr Dring would have had sight of correspondence from Mrs Dean and suggested that it was very unlikely that he had. Councillor Denison added that it was his view that no other Councillor would have had any interest in releasing correspondence to the Drings and, in any event, would have found it very difficult to do so. Councillor Denison confirmed his view that Councillor Willcock had formed a dislike of Mrs Dean and had deliberately kept away from the decision making process on the fence because of her involvement.

14. Councillor Denison re-iterated that Councillor Willcock tended to be outspoken, had let it be known that he did not think too highly of Mrs Dean and that he had casually referred to an association with Mr Dring at Parish Council meetings but had not formally registered an interest.

The interview concluded at 10.45am.

Signed..... *Den Denison*
Date..... *14 October 2006*

**CORRECTIONS/AMENDMENTS FROM INTERVIEW ON 12TH OCTOBER
2006**

1. Before the Parish Council meeting which took place on the 4th May 2005, I was not aware of who Cllr Willcock was or where he lived. It was when I was at the meeting and looked around at the Councillors present I remarked to the lady sitting next to me that there was only one person on the Council that I recognised because I had seen him visiting Mr & Mrs Dring on several occasions. It was she who told me who he was and where he lived.
2. During the meeting as neither the Chairman or the Clerk could understand our concerns regarding the "dog leg" effect the new boundary had caused it was agreed that members of the Parish Council would meet with Mr Dean at the "problem" area. This meeting confirmed the potential hazard and the Council agreed to arrange a visit from ROSPA
3. The findings of the ROSPA inspections confirmed the hazard and their proposed recommendations.
4. We were told at the meeting that Mr Dring had basically "threatened" the Parish Council that if they wanted their land back they would have to take him to Court. I believe Mr Dring made this threat because he knew that the Parish Council had limited funds and at the time the Parish Council were helping the SOS group financially to ensure that the village retained its Doctors surgery.
5. The reason this action was proposed by myself was to assist the Parish Council by removing the potential hazard, which had been caused by their original ineffectiveness by not dealing with the problem when they were first made aware of it. I have in no way gained by this action.
6. The hand written reply was from Mrs Dring not Mr Dring.
7. Cllr Willcock was at the rear of the property observing the boundary when he made his statement to Mr Dring.
8. Not only do I believe that the tone of the letter was smug and condescending I also believe that it was very much a "one up man ship" a kind of "we have friends in high places so watch it because we know all about you"!
9. It was not a case of Cllr Willcock not being close enough it was their opinion that the friendship would not affect his judgement.
10. I believe that Cllr Willcock is trying to suggest he is just an acquaintance of Mr Drings by deliberately avoiding being seen with them. This is noticeable by the way he visits another neighbour just 2 doors away but makes no attempt to visit the Drings. I also believe that once this investigation is over regardless of the outcome Cllr Willcock will resume his visits to the Drings house.

11. Unfortunately because the Parish Council "failed" to protect my rights as an individual I would now find it very difficult to approach them on any matter in the future for fear that it would not be treated fairly or even worse that a member of the Council would be divulging information with a third party.
12. I also believe the Chairman of the Parish Council to be beyond reproach.

CONFIDENTIAL

Notes of an interview held between Christine Deller, Investigating Officer and Mrs Susan Dean, held on 12th October 2006 commencing at 2.05 pm in the Chairman's Room, Pathfinder House, Huntingdon.

1. The Investigating Officer explained the investigation process following the referral to the District Council's Monitoring Officer of Mrs Dean's complaint from the Standards Board for England against a Councillor serving on Little Paxton Parish Council.

The Investigating Officer confirmed the areas of the Code alleged to have been breached and the timescale to which she was working. The Investigating Officer asked Mrs Dean for permission to tape the interview. No objection was raised by Mrs Dean. It was explained that notes of the interview would be taken and that Mrs Dean would receive a copy of these to verify as an accurate record.

2. Mrs Dean described the events leading to her decision to submit a complaint against Councillor Willcock. Mrs Dean referred to events commencing in May 2005 when her neighbour Mr Dring began to erect a new rear garden fence on the boundary of his dwelling and that of the playing field. It became apparent to Mrs Dean that the fence had been erected beyond the line of the boundary. Mrs Dean drew this situation to the attention of the Clerk to Little Paxton Parish Council. The Clerk acknowledged the Parish Council had been aware that work had commenced but not that the fence line had extended beyond the boundary. The Parish Clerk undertook to investigate. Having not heard any outcome, Mrs Dean made further enquiries of the Parish Clerk

who informed Mrs Dean that the matter would be discussed at the Parish Council meeting on 4th May. Mrs Dean attended the meeting and hoped to address the Parish Council.

When informed that she would not be able to speak, Mrs Dean sought advice from CALC who suggested that she submit her questions in writing for the attention of the Parish Council at that meeting. Mrs Dean wished to be informed why the Parish Council had not taken any action to stop the fencing contractor and how they were now going to proceed given that the fence had been erected. Mrs Dean was concerned that her neighbour had acquired fifteen square metres of prime Cambridgeshire playing field. The matter was raised at the meeting and Mrs Dean heard a series of options being discussed. Ex-Councillor R L Clarke addressed the meeting from the public gallery and suggested that the Parish Council needed to be careful to avoid setting a precedent and not to encourage other householders living on that boundary to follow suit. The Parish Council agreed to contact the Head of Legal Services at Huntingdonshire District Council for advice.

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After the meeting, Mrs Dean asked for a copy of the Minutes of 4th May. At this stage, Mrs Dean was aware that Councillor Willcock's own property abutted the playing field and she believed Councillor Willcock also to be a friend of her neighbour – Mr Dring whose fence was the subject of the Parish Council meeting. Mrs Dean expressed amazement that Councillor Willcock had not declared an interest in the item.

In a subsequent meeting with the Chairman of the Parish Council and Parish Clerk, Mrs Dean had drawn this omission to their attention. Both allegedly acknowledged that Councillor Willcock was a friend of Mr Dring and that they were aware that his property abutted the playing field. However, both were of the view that Councillor Willcock had not used his position to influence a decision. Mrs Dean was led to understand that the Parish Council would make it clear to those residents with dwellings on that same boundary that the Parish Council would not permit further fences to be erected beyond the boundary. (2)

Mrs Dean admitted that correspondence between herself and the Parish Council was prolonged and that this was in part due to the fact that she was also looking to erect a new rear garden fence. Reference was made to a location map of Lakefield Avenue and the local circumstances whereby there was, in effect, a double boundary – one for the house and one for the field. In the past, the householders had taken the land (or strip) which had resulted into their own garden. Because the Parish Council had not objected to the Dring's fence, Mrs Dean asserted that this had had an effect on her rear boundary by creating a dog leg effect. Mrs Dean also expressed concern at the potential hazard this has created for walkers and suggested that a risk assessment of the location be undertaken. Arrangements for this were undertaken by the Parish Council. (3)

Mrs Dean suggested that several meetings of the Parish Council had taken place in the meantime to discuss how to proceed on the fence issue. Mrs Dean requested copies of the minutes of these meetings. On each occasion that the item had been discussed, Councillor Willcock had failed to declare an interest. On the last occasion

the item was discussed in private session. Mrs Dean understood that in making their final decision, the Parish Council had been mindful of the cost implications of any legal case Mr Dring might bring against the Council. The minutes do not reveal details of the vote. However, Mrs Dean understood that the vote on whether to request Mr Dring to remove his fence was very close. Mrs Dean also was aware that the financial constraints placed on the Parish Council had influenced this decision. Mrs Dean suggested that as Chairman of the Finance Committee, Councillor Willcock was "in charge of finances at Little Paxton Council". Mrs Dean alleged that she had been advised by the Chairman of Parish Council that Councillor Willcock had voted on this item and that it had been a "close call".

Mrs Dean reported that she had proceeded to make arrangements for her own fence to be erected and had contacted the Parish Clerk for permission for a tree surgeon to access her garden from the playing field and secondly to allow Mrs Dean to extend her boundary to meet that of her neighbour at one end and to taper it towards others at the other end of the fence. The Clerk and the Chairman of the Parish Council agreed to this course of action but suggested that they would confirm this at the next parish council meeting. Mrs Dean undertook to let the parish clerk know when work commenced and invited the parish council to inspect the work as and when they wished to ensure that it was being undertaken to their satisfaction.

Mrs Dean added that Mr Dring's post was within her new boundary. Mrs Dean had written to Mr Dring asking if he would like to remove his post because it would be enclosed when her new fence had been erected. Mrs Dean suggested that a hand written note was returned to her by Mr Dring suggesting that Mrs Dean contact the

Parish Council. Mrs Dean alleged that some four/five days later Mr Dring was speaking to Councillor Willcock outside of Mr Dring's house and that Councillor Willcock had said "wait and see what they do before you do anything". It was suggested that Mr Dean overheard this conversation. Then "out of the blue" a letter addressed to Mr and Mrs Dean dated 4th May 2006 arrived. This suggested that Mr Dring had seen correspondence between Mr and Mrs Dean and the Parish Council. Mrs Dean believed the first paragraph inferred that the Dring's had had sight of her correspondence with the Parish Council. Mrs Dean contacted the Clerk and asked if Mr Dring had requested, under the Freedom of Information Act, copies of any correspondence between the two parties over the past year. Mrs Dean was informed by the Parish Clerk that no such request had been made. This begged the question – "How had Mr Dring gained access to this correspondence ?" The Clerk confirmed that the correspondence had not been released from the Parish Office. Mrs Dean was hopeful that the Parish Council would have pursued it and suggested if they had done, she would not have found it necessary to complain to the Standards Board for England.

3. Mrs Dean reported that she had accessed the web site of the Standards Board to gain some information on interests. Mrs Dean said she had no objection to individuals legitimately accessing information via the Freedom of Information Act but she objected to anybody obtaining information via the "back door". Mrs Dean believed that her neighbour might not have acted in the way he did if he had not had access to her correspondence. Reference was made to the fact that Mr Dring had been cautioned for criminal damage, the Investigating Officer advised that this alleged offence was not material to the complaint so would not be examined. Mrs

Dean explained that the information to which Mr Dring had access had affected his behaviour and had a bearing on their relationship. Mrs Dean believed the tone of the letter to be smug and condescending. (8)

Mrs Dean believed that the decision taken by the Parish Council affected Councillor Willcock personally and that his friendship with Mr Dring had affected his judgement of the facts presented on the fence/boundary item.

4. Regarding the first meeting at which the item had been raised and at which Mrs Dean had been present, Mrs Dean could not recall exactly what Councillor Willcock had said because it had been difficult to hear. However, she thought he suggested that he didn't want to get involved. Mrs Dean had subsequently asked for a copy of the Minutes to see what had been recorded. Subsequently, the Parish Clerk had confirmed that Councillor Willcock had not declared an interest nor challenged the minutes of the following meeting.
5. Regarding the letter from Mrs Dean which was presented to the Parish Council on 4th May 2005, Mrs Dean reported that it had been referred to during the meeting and that members of the council were asked to read it. A short discussion had ensued at which point former Councillor R L Clarke had interceded and recommended that the Council seek legal advice before setting any precedent. Mrs Dean did not suggest that Councillor Willcock's presence at this meeting influenced the conclusion reached by the Parish Council to refer the matter to the Head of Legal Services at the District Council.

6. When asked how Mrs Dean had drawn the conclusion that Councillor Willcock had influenced the decision making process, Mrs Dean reported that she and her husband had had a meeting with the Chairman of the parish council and parish clerk and that she had referred to the possibility that Councillor Willcock had had a prejudicial interest. Both the clerk and chairman acknowledged that Councillor Willcock was a friend of Mr Dring but not close enough to warrant his exclusion from the parish council meetings.
7. Mrs Dean again referred to the meeting on 7th July 2005 and the alleged influence that Councillor Willcock had brought to bear on the decision making. Mrs Dean admitted that the Chairman of the Parish Council had not indicated to her that it was the contribution of Mr Willcock which had influenced the decision at that meeting. However, she was aware that Councillor Willcock was present, that he had participated in discussion but she did not know how he had voted. Mrs Dean acknowledged that she did not know what Councillor Willcock had said at that meeting.
8. Regarding the letter of 4th May 2006 from Mr and Mrs Dring and in response to a question, Mrs Dean suggested that other than the first sentence of that letter she had no other evidence to support her allegation – that her correspondence to the parish council had been revealed to the Drings. Up to that stage, however, Mrs Dean suggested that she had a feeling that someone was feeding the Dring's information although she had no evidence to substantiate this assertion.

9. Mrs Dean suggested that before submission of her complaint to the Standards Board in June, Mr and Mrs Willcock had been regular visitors to Mr and Mrs Dring. They used a to gain entry to the Dring's around the rear of the house without knocking on the front door which suggested to her that the Willcock's were more than passing acquaintances. Since the complaint had been submitted, the visits of the Willcocks had ceased although Mrs Dean alleged that Mr Dring now visited Mr Willcock at his house in Lakefield Avenue. Mrs Dean believed they socialised together at the local pub although she had not seen them personally. It was not a secret that they were friends. (10)
10. Mrs Dean wished to add that she was a strong supporter of local government. She was particularly disappointed that the parish council had not taken action to resolve the problem themselves. She regretted that the situation had reached this stage. If local democracy was to be transparent it had to be seen to be fair to everyone – no one should receive preferential treatment. Mrs Dean believed she gave the parish clerk opportunities to investigate the issue. She felt that the Parish Council had tried to trivialise the issue in the belief that she would go away. (11)
- * (12)
11. As a final point Mrs Dean believed that the Parish Clerk was beyond reproach and that she had no reason to believe that she had released the correspondence to Mr Dring. She suspected Councillor Willcock in this matter because the letter of 4th May arrived some days after she had seen him visit Mr Dring. The Investigating Officer thanked Mrs Dean for attending.

The meeting ended at 2.52pm.

Signed *S. P. Don*

Date *2/10/00*

APPLICATION FOR DISPENSATION
(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 An application has been received from Broughton Parish Council requesting the Standards Committee to grant dispensations to enable four of their Councillors to speak and vote on matters associated with proposed changes by Cambridgeshire County Council to footpath stiles in Broughton.

2. LEGISLATIVE BACKGROUND

- 2.1 The Committee are reminded that the circumstances in which a Standards Committee may grant dispensations to Town/Parish/District Councillors are prescribed in the Relevant Authorities (Standards Committee)(Dispensations) Regulations 2002. These are restricted to cases where the transaction of business of the Authority would otherwise be impeded because –
- (i) the number of Members of the Authority that are prohibited from participating exceeds 50% of those Members that are entitled or are required to so participate; or
 - (ii) the Authority is not able to comply with any duty which applies to it under Section 15(4) of the Local Government and Housing Act 1989
- 2.2 The reference in the foregoing paragraph to the duty under the 1989 Act relates to the requirement for principal Councils, i.e. not Town/Parish Councils, to allocate seats on Committees etc. proportionately according to the representation of political groups in full Council.
- 2.3 Having regard to the circumstances of an application, Standards Committees are required to consider whether it is appropriate to grant dispensations and their extent, i.e. whether it is appropriate that the dispensation allows Members to either speak and not vote or to fully participate and vote. The dispensations cannot apply for a period longer than four years.
- 2.4 Where dispensations are granted, Standards Committees must ensure that their nature and duration are recorded.

3. APPLICATION RECEIVED

- 3.1 Broughton Parish Council has been advised by Cambridgeshire County Council's Rights of Way Officer (Huntingdonshire Area) that the County has initiated a programme to improve access to footpaths in Broughton Parish involving the replacement of stiles by "kissing" or other types of gates. This conversion would be optional and funding may be available from the County Council for the works. Maintenance of the gates would fall to the land owners.

- 3.2 Currently there are seven Members serving on Broughton Parish Council. Of these, four would be required to declare a prejudicial interest when the business relating to the footpaths scheme appears on their agenda by virtue of their or their partners' land ownership. The quorum of a meeting of the Parish Council is three Members.
- 3.3 Although there would be sufficient Members remaining in the meeting to be able to take any decision on the footpath issues, the Parish Council has requested dispensation to enable discussion to involve all Members of the Parish Council.
- 3.4 The Committee are reminded that under the Regulations, dispensations are granted when the number of Members of the Parish Council that would be prohibited from participating in meetings exceeds 50% of those entitled or required to participate.

4. CONCLUSION

- 4.1 Given the circumstances described above, the Committee are requested to consider the application received for dispensation by Broughton Parish Council.
- 4.2 Should the Committee look favourably on this application, it is suggested that consideration should be given to granting the dispensation to speak and to vote to four Members of the Parish Council for the period ending 30th April 2008 after which time fresh applications would need to be submitted.

BACKGROUND PAPERS

The Parish Councils Model Code of Conduct 2001
The Relevant Authorities (Standards Committee)(Dispensations) Regulations 2002
Letter received from the Parish Clerk to Brought Parish Council

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

USE OF RESOURCES JUDGEMENTS 2005/06
(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 The Use of Resources Judgement, designed by the Audit Commission, assesses how well Councils manage and use their financial resources. The assessment focuses on the importance of having sound and strategic financial management to ensure that resources are available to support the Council's priorities and improve services.
- 1.2 Specifically, the assessment covers five themes, as follows;
- ◆ Financial reporting
 - ◆ Financial management
 - ◆ Financial standing
 - ◆ Internal controls; and
 - ◆ Value for money.
- 1.3 Each of the above themes is scored by the District Council, in the first instance, on a 1-4 basis, 1 equating to inadequate performance, 2 representing adequate performance, 3 good performance and 4 innovative practice. In March 2006, the Audit Commission released the overall judgement to the Council which although subject to some final tinkering will require follow up action in preparation for next years judgements.
- 1.4 Overall the Council achieved a score of 3 for the 2005/06 judgements, which represents an assessment of good performance on the Audit Commission's scoring system. Although there were no areas where the Council failed to achieve level 2 performance there were various level 3 requirements which were not met and the Council has been advised to consider the potential benefit to the organisation of strengthening its original arrangements with regard to internal control. Under the theme – Internal Control sits the key line of enquiry (KLOE 4.3) which requires the Council to have arrangements in place that promote and ensure probity and propriety in the conduct of its business. In particular, the Audit Commission has recommended that the Council undertake “an assessment of the standards of ethical conduct across the organisation”.
- 1.5 Taking advice on what action needs to be taken to comply with this request, it is understood that an annual survey of complaints by type, locality and outcome and of training undertaken by Councillors (both District and Parish) would need to be undertaken and the outcomes reported to the Standards Committee. The training programme for the following year would then need to be designed and targeted to meet any emerging trends and needs.
- 1.6 To fulfil this requirement, it is proposed that a report be submitted to the December meeting of the Committee on an annual basis.

2. ANNUAL SURVEY

- 2.1 In accordance with the procedure adopted by the Standards Board for England, the Monitoring Officer has been notified of decisions taken by the Board in eight cases during 2006, details of which are reflected in the appendix hereto.
- 2.2 In all but one case, the Board agreed not to take any further action in relation to the allegations made and in the other case the Standards Committee found that there was no case to answer.
- 2.3 Looking at the paragraphs of the model Code of Conduct which were alleged to have been breached, five complaints involved (potentially) paragraph 4 – “a Member must not in his official capacity or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute”. This is a broad area of the Code and therefore it could not be inferred that any trend was emerging because this paragraph featured more frequently in complaints than any other.
- 2.4 There do not appear to be any other commonalities, in the cases which have been considered by the Board, which require to be addressed by the Committee.

3. TRAINING TARGETS

- 3.1 Members will recall the report of the Director of Central Services and Monitoring Officer to the last meeting (Minute No. 22 refers). In this report, the Monitoring Officer described the training activity he had undertaken or had planned for the autumn/winter.
- 3.2 Two newly elected Members of the Stukeleys Parish Council had attended the general training event in July. The occurrence of a formal complaint in the Parish had encouraged the Parish Clerk to offer the training opportunity to his newly elected Councillors.
- 3.3 As several Members of Ramsey Town Council have been involved in recent complaints made to the Board and whilst these had not been pursued, the Monitoring Officer led a training session at a meeting of the Town Council in September. Similar arrangements have been made with Grafham Parish Council and the Monitoring Officer will attend a future meeting of that Parish in the New Year. An approach also has been made to Earith Parish Council.
- 3.4 Members are reminded that an allegation had been made against a Member serving on Sawtry Parish Council. Following assessment by an Ethical Standards Officer and representations by the Monitoring Officer, the Board issued a direction to the Monitoring Officer to provide training and guidance to all Members of the Parish Council on the Code of Conduct with particular reference to the obligations imposed in respect of personal and prejudicial interests. As Sawtry Parish Council have declined to receive training and guidance from the Monitoring Officer on the Code of Conduct the matter remains with the Standards Board for England to resolve.

4. CONCLUSION

- 4.1 The Monitoring Officer continues to target and respond to Parish Councils in terms of their compliance with the Code of Conduct as circumstances evolve and a need for training is identified. Indeed, further training for Little Paxton Parish Council has been recommended by the Investigating Officer as a result of the formal complaint made in that Parish. Targeting of individual Councils together with open sessions has resulted in a total of 239 Councillors being trained since the inception of the model Code of Conduct and it is suggested that this approach be continued.
- 4.2 The Committee is invited to note this report and in particular, the proposal to report annually on the issues referred to in paragraph 1.5.

BACKGROUND PAPERS

Huntingdonshire District Council – Use of Resources Judgements 2005/06
Previous Standards Committee report and minutes

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

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| Meeting Reported | Authority | Paragraph of the Code alleged to have been breached * | Decision of the Standards Board for England |
|------------------|-----------------|---|---|
| December 05 | Huntingdonshire | 5(a) | No further action |
| December 05 | Great Gidding | 2(b) | No further action |
| March 06 | Earith | 4 5(a) | } No further action } |
| July 06 | The Stukeleys | 2(a) 4 5(a) | Referred to the Monitoring Officer by the Standards Board. Standards Committee resolved that there was no case to answer. |
| July 06 | Huntingdonshire | 5(a) | No further action |
| September 06 | Huntingdonshire | 4 | No further action |
| September 06 | Ramsey | 2(b) 4 | No further action |
| December 06 | Godmanchester | 2(b) 3(a) 4 | No further action |

Paragraphs *

- 2(a) A Member must promote equality by not discriminating unlawfully against any person;
- 2(b) A Member must treat others with respect;
- 3(a) A Member must not disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so;
- 4 A Member must not in his official capacity, or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute;
- 5(a) A Member must not in his official capacity, or any other circumstance, use his position as a Member improperly to confer on or secure for himself or any other person, an advantage or disadvantage.

**CODE OF CONDUCT: STANDARDS BOARD NOTIFICATION
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 In accordance with the procedure adopted by the Standards Board for England for the investigation of allegations, the Monitoring Officer has been notified of the Board's decision in respect of an allegation made against a Councillor serving on Godmanchester Town Council.

2. DETAILS OF THE CASE

- 2.1 It had been alleged that the Town Councillor had failed to treat others with respect, brought her authority into disrepute and potentially revealed information that was given to her in confidence. It was alleged that the Town Councillor excluded another Councillor from selected e-mail correspondence and thereby failed to treat others with respect. The complainant also believes that the Town Councillor tape recorded the proceedings of a public meeting without the permission of those concerned. In so doing, it was alleged that the Town Councillor showed lack of respect and consideration for others involved in the meeting and this also allegedly had implications in relation to confidentiality and the use of the recorded information. The complainant had stated that such behaviour is contrary to the principles of openness and transparency and that such illicit behaviour if proven could bring the Authority and Office into disrepute.
- 2.2 The Standards Board for England has decided that the allegation should not be referred to an Ethical Standards Officer for investigation having concluded that a potential breach of the Code of Conduct was not disclosed.
- 2.3 In reaching this conclusion, the Board has noted that the e-mail correspondence referred to explained that the Town Councillor had excluded the complainant and other Councillors from the e-mail list on the basis that they had already received copies of a set of minutes as group members. In addition, it was not considered from the information provided that the Councillor had persistently excluded the Member concerned from receiving e-mail correspondence on other occasions. In respect of the allegation concerning the tape recording, it was noted from a witness statement that the Councillors behaviour was allegedly suspicious during the meeting and that she was rummaging through her handbag several times during the meeting. However, it was not suggested that any recordings were obtained by the Councillor or that the information had been shared with a third party who was not present at the meeting to indicate that the Councillor had indeed recorded the meeting and shared that information as alleged. On the basis of the information provided, the Board concluded therefore that the alleged conduct did not disclose a potential failure to comply with the Code of Conduct.

3. CONCLUSION

- 3.1 The Committee is invited to note that the Standards Board for England has agreed not to take any further action in relation to an allegation made against a Councillor serving on Godmanchester Town Council.

BACKGROUND PAPERS

Letter received from the Standards Board for England dated 23rd October 2006.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

CODE OF CONDUCT – UPDATE

(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 Members will recall that they responded to consultation undertaken by the Standards Board for England on the review of the Code of Conduct (Minute No. 27 – meeting of the Committee held on 9th March 2006 refers).
- 1.2 Bulletins from the Board suggest that a revised Model Code of Conduct will be released by the Department for Communities and Local Government (DCLG) for public consultation before Christmas with a view to its introduction in time for local elections in May 2007.
- 1.3 The Board has begun to prepare for the introduction of the revised code with the preparation of guidance and training materials to assist Monitoring Officers and Standards Committees in its implementation. A series of eleven road shows also will be held.
- 1.4 Although details are still sketchy, this report summarises the timescales for implementation, key changes envisaged in the revised Code and arrangements for the road show events being organised by the Board.
- 1.5 In addition, the Board has recently varied the criteria for deciding which complaints should be referred for investigation and an explanation of this change is also discussed.

2. TIMESCALE FOR CHANGES

- 2.1 Although the timescale for the introduction of the revised Code will be determined by the DCLG, the Board anticipate the following –

Next Few Weeks: the Board anticipates that the draft Code will be issued for consultation by the Department for Communities and Local Government (DCLG);

End of December: Consultation should end;

Late January/Early February: Parliamentary approval is expected; and

May 2007: Revised Code of Conduct should come into effect.

- 2.2 The intention is to allow for training to take place before this time and the Board is encouraging authorities to adopt the revised Code as soon as is practical, preferably at their Annual Meetings in May 2007.

3. REVISED CODE OF CONDUCT

3.1 Whilst the final content of the revised Code will be determined by the DCLG, the Board has anticipated that the main areas of change will relate to:-

- ◆ the definition of personal interest;
- ◆ the creation of a new category of interest called 'public service interest';
- ◆ disclosure of confidential information in the public interest;
- ◆ disrepute;
- ◆ bullying; and
- ◆ abolition of the duty to report breaches of the Code by other Members.

4. ROADSHOW EVENTS

4.1 The Standards Board is planning to host a series of roadshows across the country in June 2007 to coincide with the proposed launch of the revised Code of Conduct and local election results. The current proposals involve a visit to 11 cities across the country.

4.2 The roadshows will focus on the revised Code as well as preparations for the proposed introduction of the local filter system for complaints in 2008. As in previous years, the sessions will take the format of presentations and discussions and delegates will be encouraged to contribute. Board Members and the Chief Executive of the Standards Board will also be on hand to answer any questions.

4.3 These roadshows will be aimed at Members from local Standards Committees and Monitoring Officers. Further details will be available nearer the time.

5. CHANGE TO REFERRALS CRITERIA

5.1 The Standards Board for England has recently added to the criteria which are used to decide which complaints are referred for investigation. The Board now take into account the time that has passed since the conduct allegedly occurred. This is in addition to the general criteria – that a matter should be investigated when it is believed it is:-

- ◆ serious enough, if proven, to justify the range of sanctions available to the Adjudication Panel for England or local Standards Committees; and
- ◆ part of a continuing pattern of less serious misconduct that is unreasonably disrupting the business of the authority and there is no other avenue left to deal with it, short of investigation.

5.2 The Standards Board has decided to make this change because many complaints about matters that occurred a long time ago were seemingly resulting from political considerations or personal disputes. The Board wished to address the situation, whilst still retaining the ability to investigate serious complaints. This approach is consistent

with that of many other regulatory bodies which take into account the time that has passed when considering new complaints.

- 5.3 This change does not prevent the Standards Board from investigating serious matters that have only just come to light. The Board recognises that serious misconduct can be uncovered through an audit, review or change of administration and they would not wish to limit their ability to look into these matters. As always, the Board continued to assess each case on its merits, with serious cases being referred for investigation regardless of the length of time that has passed.

6. CONCLUSION

- 6.1 Members are invited to note the content of the report and the possibility, given the indication of the timescale for responding to consultation on a revised Code of Conduct, that a special meeting of the Committee might need to be convened at short notice.

BACKGROUND PAPERS

Town and Parish Standard – Issue No. 8
Bulletin – Issue No. 31
The Connection – Issue No. 3

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

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