

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in MEETING ROOM 1, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN on Thursday, 22 January 2009.

PRESENT: Mr P L Boothman – Chairman.  
Councillor Mrs B E Boddington and  
Mr G Watkins.

### **33. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 12th November 2008 were approved as a correct record and signed by the Chairman.

### **34. MEMBERS' INTERESTS**

Councillor Mrs B E Boddington and Mr G Watkins declared a personal interest in Minute No. 38 post as colleague Members of Councillor D MacPherson on the Standards Committee.

Councillor G Watkins declared a personal interest in Minute Nos. 39 and 40 by virtue of his acquaintance with Councillor C Thorne.

### **35. TERMS OF REFERENCE**

The Terms of Reference of the Sub-Committee were noted.

### **36. GUIDANCE TO ASSIST ASSESSMENT OF CASE**

The Guidance produced by the Standards Board for England and collated by the Monitoring Officer to assist the Sub-Committee in their assessment of the cases submitted was received and noted.

### **37. EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information under Paragraph 7 (c) relating to the deliberations of a Sub-Committee of the Standards Committee established under the provisions of Part 3 of the Local Government Act 2000.

### **38. PRE ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 7**

Members considered the following documents collated by the Monitoring Officer (copies of which are appended in the Minute Book) to assist the Sub-Committee in its deliberations –

- (a) pre-assessment report by the Monitoring Officer;
- (b) original letter of complaint dated 17th December 2008;
- (c) response to letter by Monitoring Officer dated 23rd December 2008;
- (d) email exchange with Mr A Whyte, the complainant, dated 24th December 2008 and 2nd January 2009;
- (e) email exchange with Parish Clerk, Holywell-cum-Needingworth dated 23rd December 2008 and 13th January 2009;
- (f) email from Mr A Whyte, the complainant dated 14th January 2009; and
- (g) declaration of financial and other interests – Councillors D MacPherson and Councillor A Holloway.

### **39. INITIAL ASSESSMENT - CASE NO. 7**

Having considered the allegations made in the case, against two Councillors serving on Holywell-cum-Needingworth Parish Council, seeking the advice of the Monitoring Officer as necessary, the Sub-Committee

RESOLVED

- (a) that the allegation made by Mr A Whyte, be not referred for investigation and no further action taken in the case for the reasons set out in the “Decision Notice: No Further Action” appended to these Minutes;
- (b) that the complainant be advised that he would need to present further evidence of the involvement of Councillor Holloway in the publication of the letter in “The Villager” newsletter should he wish to exercise his right to a review of the decision; and
- (c) that the Clerk to Holywell-cum-Needingworth Parish Council be requested to advise the Parish Council that it would be good practice to review and update the content of their declarations of financial and other interests on a regular basis.

### **40. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 8**

The Sub-Committee considered the following documents collated by the Monitoring Officer (copies of which are appended in the Minute Book) to assist Members in their assessment of the case –

- (a) pre-assessment report by the Monitoring Officer;
- (b) original letter of complaint dated 25th November 2008;
- (c) response to letter by Monitoring Officer dated 2nd December 2008 and further letter dated 5th January 2009;
- (d) further letter and enclosures from complainant dated 7th January 2009;
- (e) email exchange between Planning Enforcement Officer/Yaxley Parish Clerk and Monitoring Officer;

- (f) report to the Development Control Panel – 19th January 2009; and
- (g) declaration of financial and other interests – Councillors C Thorne and D C Youles.

#### **41. INITIAL ASSESSMENT - CASE NO. 8**

The Sub-Committee considered the allegations made in the case against two Councillors serving on Yaxley Parish Council. Having regard also to an extract from Planning Policy Guidance Note No. 18 entitled “Enforcing Planning Control” (a copy of which also is appended in the Minute Book) and to the advice of the Monitoring Officer, when requested, Members

RESOLVED

- (a) that the allegation made by Mr G Mold be not referred for investigation and that no further action be taken in the case for the reasons set out in the “Decision Notice: No Further Action” appended to these Minutes; and
- (b) that the Clerk to Yaxley Parish Council be advised of the practice for the declaration and recording of personal and prejudicial interests in the Parish Council’s Minutes.

#### **42. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 9**

*In view of the close association of the case with business already scheduled to be considered by the Sub-Committee, the Chairman announced that he proposed to admit the addition of Case No. 9 to the Agenda as an urgent item of business in accordance with Section 100B (4) of the Local Government Act 1972).*

Consideration was given to the following documents (copies of which are appended in the Minute Book) which had been collated by the Monitoring Officer to assist the Sub-Committee in assessing the case –

- (a) pre-assessment report by the Monitoring Officer;
- (b) original letter of complaint received 14th January 2009;
- (c) declaration of financial and other interests – Councillors C Thorne and D C Youles – see Minute No. 40 ante.

#### **43. INITIAL ASSESSMENT - CASE NO. 9**

Having considered the various allegations made against Councillors C Thorne and D C Youles of Yaxley Parish Council and having consulted the Monitoring Officer for advice during their deliberations, the Sub-Committee

RESOLVED

- that the allegations made by Mr A Bartle be not referred for investigation and that no further action be taken on the case

for the reasons set out in the "Decision Notice: No Further Action" appended to these Minutes.

**44. CASE NO. 6 - COMPLAINT REFERRED FOR OTHER ACTION**

Further to Minute No. 31 of their meeting held on 12th November 2008, the Sub-Committee was advised that the Monitoring Officer had attended a session with Hilton Parish Council on 15th January 2009 to present training on the Code of Conduct.

In accordance with paragraph 4 (c) (i) of the Standards Committee (England) Regulations 2008, the Monitoring Officer reported that the Member subject to the original complaint of misconduct namely Councillor S I Bottoms was present at the session in addition to the Clerk and one other Member of Hilton Parish Council and that they had received training on the Code as specified by the Sub-Committee. A newly appointed Parish Council representative on the Standards Committee was also present. Having expressed their satisfaction with the action taken by the Monitoring Officer in the case, the Committee

RESOLVED

that it be confirmed that the Monitoring Officer had dealt with the aforementioned matter in accordance with the direction received.

**45. FUTURE PROGRAMME OF MEETINGS**

The Sub-Committee agreed to meet again at 10am on Wednesday 11th February 2009 (subsequently varied to 10am on Friday 13th February 2009).

Chairman