

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in ROOM D6, THIRD FLOOR, PATHFINDER HOUSE, ST. MARY'S STREET, HUNTINGDON, CAMBS, PE29 3TN on Friday, 13 February 2009.

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

IN ATTENDANCE: Mr D L Hall – observed the proceedings.

46. MINUTES

The Minutes of the meeting of the Sub-Committee held on 22nd January 2009 were approved as a correct record and signed by the Chairman.

47. MEMBERS' INTERESTS

No interests were declared.

48. TERMS OF REFERENCE

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

49. 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.

50. 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.

51. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 10

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) Complaint form;
- (c) E-mail exchange between Councillor P H Dakers and Councillor S Kindersley dated 16th and 17th January 2009;

- and
- (d) Declaration of Financial and Other Interests - Councillor P H Dakers.

52. INITIAL ASSESSMENT - CASE NO. 10

Having considered the allegations made in the case against a Councillor serving on Huntingdonshire District Council, seeking the advice of the Monitoring Officer as necessary, the Sub-Committee

RESOLVED

- (a) that the allegations made by Councillor S Kindersley 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 Councillor Dakers be invited to consider attending training offered by the District Council in connection with equality and diversity issues; and
- (c) that in the absence of a Member Training Champion, a copy of the Decision Notice be sent on this occasion to Councillor I C Bates, Leader of the Conservative Majority Group.

53. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 11

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) Letter of Complaint from Councillor D A Giles;
- (c) Newspaper Article dated 15th January 2009;
- (d) Copy of confidential briefing noted dated 17th December 2008;
- (e) Extract from Compromise Agreement;
- (f) E-mail from Councillor G S E Thorpe to St. Neots Town Council dated 8th January 2009;
- (g) Copy of second schedule referred to in an e-mail dated 8th January 2009;
- (h) Third Schedule; and
- (i) Registration of Financial and Other Interests - Councillor Mrs J Bird.

54. INITIAL ASSESSMENT - CASE NO. 11

Having considered the allegation made against Councillor Mrs J Bird serving on St. Neots Town Council and having consulted the Monitoring Officer for advice during their deliberations, the Sub-Committee

RESOLVED

- (a) that the allegation made by Councillor D A Giles 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 Councillor Mrs Bird be advised of the requirement to update her declaration of financial and other interests on a regular basis and to consider whether she needed to declare her membership of a political party.

55. SUB-COMMITTEE REVIEW OF PERFORMANCE AND OTHER ISSUES

Members reviewed the work of the Sub-Committee since its inception and the approach it had taken towards the consideration of allegations of misconduct.

The Sub-Committee was satisfied with the positive/useful outcomes which had emerged from their deliberations thus far and expressed contentment with the advice and guidance that they had received from the Monitoring Officer during this process. In terms of additional support, the Sub-Committee considered that it would be useful to receive examples of the "Case Review" to assist in their assessments and, referring to the extent of case papers collated, accepted that there was a difficult balance to draw when making preliminary enquiries about an allegation but requested that, in the first instance, sufficient information be collated by the Monitoring Officer to enable the Sub-Committee to properly assess a case.

However, Members considered that it would be useful to be advised, in advance, of the name of the Councillor against whom an allegation had been made in case there was a question of a conflict of interest with those participating in the Sub-Committee meeting. To give publicity to the work of the Sub-Committee and to highlight matters which had given rise to the majority of complaints, Members considered that it would be of benefit, particularly to town and parish councils, to feature an article in the Council's magazine District-Wide and to issue press releases. Members also considered that it would be useful to produce a "Review of the Year" which could discuss in broad terms the nature of the complaints which had been received and the constructive and positive action which had ensued from the Sub-Committee's actions.

Lastly, and mindful of the benefit of succession planning, the Sub-Committee considered that other Members of the Standards Committee should be encouraged to observe their proceedings as a learning exercise.

Chairman