

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in Meeting Room CVSO.1b, Civic Suite, Pathfinder House, St. Mary's Street, Huntingdon, Cambs, PE29 3TN on Wednesday, 31 March 2010.

PRESENT: Mr M Lynch - Chairman
Councillor A Hansard and Mr G Watkins

127. MINUTES

The Minutes of the meeting of the Sub-Committee held on 2nd March 2010 were approved as a correct record and signed by the Chairman.

128. MEMBERS' INTERESTS

No interests were declared.

129. GUIDANCE TO ASSIST ASSESSMENT OF CASES

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

130. 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) related to the deliberations of a Sub-Committee of the Standards Committee established under the provisions of Part 3 of the Local Government Act 2000.

131. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 28

The Sub-Committee considered the following documents collated by the Monitoring Officer (copies of which are appended in the Minute Book) to assist their deliberations in respect of a complaint received against a Councillor serving on St. Ives Town Council -

- (a) original e-mail containing complaint from Councillor J D Ablewhite;
- (b) observations of Town Clerk, St. Ives Town Council;
- (c) Minutes of St. Ives Town Council dated 10th February 2010;
- (d) Minutes of St. Ives Town Council dated 10th March 2010; and
- (e) Registration of Interests Form - Councillor B Luter.

Further e-mails from the Town Clerk dated 30th March 2010 and a copy of the Agenda for a meeting of St. Ives Town Council held on

10th February 2010 were circulated at the meeting (a copy of these documents also are appended in the Minute Book).

132. PRE ASSESSMENT REPORT AND ENQUIRIES CASE NO 28

Members considered the allegation made in the case of Councillor B Luter of St. Ives Town Council seeking the advice of the Monitoring Officer as necessary. Whereupon, it was

RESOLVED

that no further action be taken in respect of the allegation made against Councillor B Luter for the reasons set out in the "Decision Notice - No Further Action" appended to these Minutes as no potential breach of the Code of Conduct was disclosed by the complaint.

133. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 29

Members considered the following documents collated by the Monitoring Officer (copies of which are appended in the Minute Book) to assist their deliberations in respect of a complaint received against two Councillors serving on Yaxley Parish Council -

- (a) original complaint form from Mrs J Rickman;
- (b) Minutes of Finance and General Purposes Committee - 17th November 2009;
- (c) Minutes of Council - 8th December 2009 and January 2010;
- (d) observations of Parish Clerk;
- (e) further information received from complainant; and
- (f) Registration of Interests forms - Councillor C Thorne and D Youles.

Further e-mails from Yaxley Parish Clerk dated 24th, 25th and 26th March 2010 were circulated at the meeting (a copy of these documents also are appended in the Minute Book).

134. INITIAL ASSESSMENT - CASE NO. 29

The Sub-Committee considered the allegations made in the case of Councillors D Youles and C Thorne of Yaxley Parish Council.

The Sub-Committee was made aware that the complainant had requested that the details of her identity be withheld from the Councillors against whom the complaints had been made. Requests are only granted in exceptional circumstances and only at the discretion of the Sub-Committee. Members considered that it might be difficult to investigate the complaint without making the complainants' identity known and were of the view that in, any event, the reasons that had been given by the complainant to remain anonymous were not sufficiently strong to warrant maintaining confidentiality in the cases submitted. As the Sub-Committee were minded to refuse the complainants request for confidentiality, Members

RESOLVED

that the meeting be adjourned to allow the Monitoring Officer

to offer the complainant the opportunity to withdraw her complaint rather than to proceed and, if necessary, to reveal her identity.

135. UPON RESUMPTION

At a meeting of the Referrals (Assessment) Sub-Committee held in Room MR01(a), Pathfinder House, St. Mary's Street, Huntingdon on Tuesday 20th April 2010.

PRESENT: Mr M Lynch - Chairman
Councillor A Hansard and Mr G Watkins.

136. INITIAL ASSESSMENT - CASE NO. 29 (CONTINUED)

Having been advised that the complainant wished to proceed with her complaints against Councillor C Thorne and D Youles of Yaxley Parish Council, the Sub-Committee

RESOLVED

- (a) that the allegation made against Councillor D Youles that he failed to comply with paragraph 4 (b) of Yaxley Parish Council's Code of Conduct 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;
- (b) that the allegations made against Councillor C Thorne, that he failed to comply with paragraphs 3 (2) (b) and 3 (2) (c) of Yaxley Parish Council's Code of Conduct 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
- (c) that the allegation made against Councillor C Thorne that he failed to comply with paragraphs 8, 9, 10 and 12 of Yaxley Parish Council's Code of Conduct be referred to the Monitoring Officer for investigation for the reasons set out in the "Decision Notice - No Further Action" appended to these Minutes.

Chairman