

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in Meeting Room 3.1, Third Floor, Pathfinder House, St Mary's Street, Huntingdon, Cambs, PE29 3TN on Friday, 21 October 2011.

PRESENT: Mr M Lynch – Chairman.
Councillor A Hansard and Mr J Alexander.

56. MINUTES

The Minutes of the meeting of the Sub-Committee held on 1st July and adjourned to 1st September 2011 were approved as a correct record and signed by the Chairman.

57. MEMBERS' INTERESTS

Councillor A Hansard and Messrs J Alexander and M Lynch declared a personal interest in Minute No. 61 post as the complaint to be assessed involved a colleague Member of the Standards Committee.

58. GUIDANCE TO ASSIST ASSESSMENT OF CASE

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.

59. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contained 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.

60. CASE NO 44 - UPWOOD & THE RAVELEYS PARISH COUNCIL

The Sub-Committee was reminded by reference to the relevant Decision Notice (a copy of which is appended in the Minute Book) that it had referred a case to the Monitoring Officer for investigation which concerned Councillor D Paine, a Member of Upwood and The Raveleys Parish Council.

Members were further reminded that the case had involved alleged financial irregularities, that the matter also was under investigation by Cambridgeshire Constabulary and that subsequent to their previous

assessment, Councillor Paine had resigned from his position as Parish Councillor. The Sub-Committee also were made aware that the Standards Committee, at their meeting held on 7th July 2011, having been advised of Mr Paine's resignation, had endorsed the view that the case should continue to be pursued to investigation given the serious nature of the allegations which had been made and given their concern that Mr Paine might make himself available for election/co-option to another Parish Council.

Having been advised by the Investigator that, despite still being a significant witness, no further action would be taken against Mr Paine by the Police and given that Mr Paine had not attempted to be selected as a Parish Councillor elsewhere, the Sub-Committee considered whether it still would be expedient to pursue an investigation of the complaint.

Members were advised that paragraph 16 of the Standards Committee (England) Regulations 2008 enabled the Monitoring Officer to refer a matter back to the Sub-Committee if, as a result of new evidence or information, he was of the opinion that the matter (under consideration) was materially less serious than previously or if the person who was the subject of the allegation had resigned from the authority concerned.

Given the current circumstances and mindful of the provisions of the Regulations, the Sub-Committee

RESOLVED

that no further action be taken to investigate the allegation made against Mr D Paine, former Member of Upwood and The Raveleys Parish Council but that the nature of the allegations be referred to, as appropriate, in the event that any further complaint is submitted under the current Code of Conduct..

61. CASE NO 49 - INITIAL ASSESSMENT

The Sub-Committee considered a letter received from Mr G Watkins, a Member of Farcet Parish Council and a Parish Council representative on the Standards Committee (a copy of which is appended in the Minute Book).

It was explained that Mr Watkins, as a Member of the Standards Committee, had chosen to advise the Monitoring Officer of a situation in which he had become involved that might be considered to be a breach of the Members' Code of Conduct. Members understood that in the interests of openness and transparency, the matter had been referred to the Sub-Committee for consideration.

The Sub-Committee was of the view that the action taken by Mr Watkins in the circumstances described was that of a reasonable person motivated only by wishing to assist a bereaved family at a difficult time in a sensitive and efficient manner. Therefore, it was

RESOLVED

that no further action be taken in respect of the case involving

Mr G Watkins for the reasons set out in the “Decision Notice – No Further Action” appended to these minutes as a potential breach of the Code of Conduct was not disclosed by the circumstances of the complaint.

Chairman