

**CODE OF CONDUCT: STANDARDS BOARD NOTIFICATIONS  
(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 District and Town Councillor (Case 1); and
  - ◆ allegations made against Councillors serving on Great and Little Gidding Parish Council (Case 2).

**2. DETAILS OF CASE 1**

- 2.1 It had been alleged that a District Councillor had acted improperly in using his position of Councillor to benefit neighbours in their capacity as objectors to a planning application submitted by the complainant. It appeared to the complainant that the neighbours were well acquainted with the Councillor in question who is a Member of both the Planning Committee on Huntingdon Town Council and the District Council's Development Control Panel. Furthermore, it had been alleged that the Councillor attended the meeting of the Planning Committee at the Town Council and made representations on behalf of the objectors.
- 2.2 The case concerned the Councillor's involvement in advising objectors to a planning application. Even if the allegation was proven, the Ethical Standards Officer (ESO) considered that it would not amount to improper use of the Councillor's position as a Planning Committee member. Although the complainant had contended that the Councillor was "well acquainted" with the neighbours, it does not follow that the Councillor had a personal or prejudicial interest in the matter in the sense that would apply if he was a "friend" of the neighbours. Although the Councillor is a member of the Town Council and its Planning Committee he is not a member of the Planning Applications Panel and given that he did not appear to have had a personal or prejudicial interest in the matter at that point – the ESO contended that there would appear nothing improper about his involvement at that stage.
- 2.3 However, having laid out the objections at the Parish Council Planning Committee and having acted as a co-ordinator for the objectors, it is likely that at such stage as the matter came before either the town council's or district council's planning committee, an impartial observer might consider the Councillor to have pre-determined the matter and also that he might have a personal and potentially prejudicial interest in the application as adviser to the objectors.

- 2.4 In relation to the complaint as submitted, however, having regard to all the circumstances, the ESO considered that the alleged conduct (even if it were found to have occurred) would not have involved any failure to comply with the authority's code of conduct. Therefore, the ESO found that no further action needed to be taken to investigate the allegation.

### **3. DETAILS OF CASE 2**

- 3.1 The background to Case 2 involved a complaint made on behalf of the Parish Clerk against eight members of Great and Little Gidding Parish Council. The complaint related to an allegedly difficult working relationship between the Parish Clerk and Councillors which had resulted in the termination of the Clerk's employment. It was reported that the Clerk had made attempts to conduct the business of the Council in a more professional manner than before but that her efforts had not been appreciated and that matters came to a head at the Council's AGM. Allegations about the improper conduct of Members at that meeting and the way in which the business of the Council was conducted were made by the complainant.

- 3.2 The ESO concluded that the allegations related principally to the dismissal of the Clerk. Whilst noting that the decision to dismiss the Clerk may not have been reached in accordance with the correct procedures, the ESO has taken the view that it only had jurisdiction over the conduct of individual Members. It cannot investigate the adequacy of an authority's procedures or the merits of particular decisions. However, with regard to Members' conduct at the Council's AGM, it was the view of the ESO that this could have been considered to be potentially disrespectful but in the context of a heated meeting and given the suggestion that the behaviour was out of character, it was concluded that the alleged conduct (even if it were found to have occurred) was not of such significance as to justify investigation and any consequent action. Therefore, the ESO concluded that the allegation should not be investigated further.

### **4. CONCLUSION**

- 4.1 The Committee is invited to note that the Standards Board for England has agreed not to take any further action in relation to allegations made against a District and Town Councillor and Members of Great and Little Gidding Parish Council.

### **BACKGROUND PAPERS**

Letters received from the Standards Board for England dated 7th September and 7th October 2005.

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