

LOG OF CODE OF CONDUCT ENQUIRIES
(wef 1.1.08)

Case No.	Date of Enquiry	District/Town/Parish Council	Nature of Enquiry (Brief Details)	Advice Given (Brief Details)	Code of Conduct Reference (Para No.)
1	3.1.2008	Hail Weston Parish	From Chairman – Whether hospitality received by individuals serving on the Parish Council constituted a personal or prejudicial interest	Personal interest (CD)	8(i) 10 (i)
2	3.1.2008	Little Paxton Parish	From Clerk – Whether an item of Parish Council business placed on the Agenda by a dual hatted Councillor constituted a personal or prejudicial interest. Item related to a request to vary standing orders	Personal interest (as a County Councillor) (CD) The item concerned the operational procedures/practices of the Parish Council and the role of the local County Councillor irrespective of the incumbent of the post.	8(i) 10 (i)

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3	3.1.08	Councillor K Churchill (District)	<p>Little Paxton normally pursue any service requests to the County Council and District Councils through the respective Ward Councillor (in this case Councillor Churchill himself). They intend to consider changing the arrangements whereby requests are dealt with by the Clerk. This is to be discussed at a Parish Council meeting that night and it has been suggested to Councillor Churchill that he has a prejudicial as well as a personal interest.</p>	<p>Councillor Churchill has a personal interest as he is a Member of the County and District Councils as well as the Parish Council. Advice given that he does not have a prejudicial interest. A prejudicial interest would only apply if the item to be considered was, for example, a scheme where Councillor Churchill's interest was greater than other Members, he was championing particular scheme etc. (RR)</p>	8 (i) 10 (i)
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4	7.1.08	Broughton Parish	Enquiry as to whether the Chairman of the Council had a personal or prejudicial interest in an agreement which the parish council was to sign with his brother-in-law to rent (peppercorn value) land in the village for a play park.	Advised Councillor that he held a personal interest. Also advised of criteria for deciding whether he also held a prejudicial interest. Given that the finances of his brother-in-law would not be affected the Councillor concluded after discussion that his personal interest was not so significant to suggest that it was likely to prejudice his judgement of the public interest. (CD).	8 (i) 10 (i)
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5	14.1.08	Councillor J A Gray	Councillor Gray enquired whether he could address the Development Control Panel given that he held a prejudicial interest in the application to be discussed.	Advised that a Member with a prejudicial interest may make representations, answer questions and give evidence before leaving the room, provided that Members of the public are allowed to attend for the same purpose. The public are entitled to attend the Development Control Panel (CD).	10 (i)
6	15.1.08	Brampton Parish	A Councillor enquired about the timing of declarations of interests if they were not apparent at the beginning of a meeting.	Advised that declarations of interests and the nature of that interest should be disclosed as soon as they become apparent or arise during the business of the meeting (CD).	8 (i) 10 (i)
7	17.1.08	Abbots Ripton Parish	A Councillor enquired whether he should be expected to declare an	Advised that the Councillor would be required to declare a	8 (i) 10 (i)

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			<p>interest involving the business affairs of his employer when he would have had no involvement/little knowledge of the issue under discussion.</p>	<p>personal interest if the business under discussion concerned his employer but that it would be unreasonable to declare something of which he was unaware or had limited knowledge. It would be impractical to expect an individual to research into the employment or business activities of his employer and in some circumstances it may be inappropriate to discuss the employers business affairs in a public arena (CD)</p>	
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8	21.1.08	Pidley-cum-Fenton Parish	Application for grant by Village Hall Management Committee. Two Councillors are Trustees of Committee. One Councillor is a sibling of a Village Committee Member. What interests should they declare.	Two Councillors who are Trustees have registerable interests and thus have personal interests. Councillor who is a sibling of Committee Member also has personal interest as matter affects member of his/her family. All Councillors have prejudicial interests and should leave unless paragraph 12(2) of SI adopted and provision in SO for public to speak in such circumstances. If latter applies, Councillors should declare interests, speak and then leave. Arrangements for dispensation explained if required. (RR)	8 (i) 10 (i)
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9	6.2.08	Alconbury Parish	Would a Parish Councillor who is about to undertake work in connection with an extension to the Alconbury Sports and Social Club need to complete a "changes" form?	No – provided the Councillor has declared his employer or if self-employed the name of his/her company on the register of interests. Should the business arise at meetings of the Parish Council that Councillor should declare a personal interest in the first instance, and possibly a prejudicial interest depending on the nature of the business under discussion (CD)	13 (i)
10.	6.2.08	Councillor S J Criswell	In response to allegations that Councillor Criswell has a conflict of interest when making representations on a planning application in his Ward.	Established after discussion with Councillor Criswell, that a key objector to the planning application was known to him only as a constituent and as an active member of a local lobby group. They were not "close friends" nor did they share "joint business interests". (PW) See enclosed e-mail.	8 (i) 10 (i)

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11.	6.2.08	Holywell-cum-Needingworth Parish	Could a Councillor with a prejudicial interest who is entitled to address the Council (under paragraph 12(2) of the Code) remain in the meeting to listen to other speakers and the debate.	No – Once the Councillor has addressed the meeting he must immediately leave the room. He cannot remain in the public gallery to observe or vote on the matter. (CD)	12 (2)
12.	7.2.08	Somersham Parish Council	See Case No. 10 the Parish Clerk enquired as to the position of the Parish Council given the circumstances described in Case No. 10.	The obligation to disclose personal/prejudicial interests lies with the individual Councillor. The Clerk and Chairman of the Parish Council can only advise, if necessary, and ensure that the business of the Council is conducted in accordance with procedures. Confirmed with the Clerk that their agenda for each Parish Meeting invites Members at an early stage to declare any interests they might have in the business before them. (CD)	8 (i) 10 (i)

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13.	7.2.08	Pidley-cum-Fenton Parish	Request for dispensation	Advice given regarding nature of interests and whether "request" for dispensation needs to be submitted - e-mail enclosed. (CD)	8 (i) 10 (i)