

Case No.	Date of Enquiry	District/Town/Parish Council	Nature of Enquiry <i>(Brief Details)</i>	Advice Given <i>(Brief Details)</i>	Code of Conduct Reference <i>(Para No.)</i>
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**LOG OF CODE OF CONDUCT ENQUIRIES**  
*From 3rd December 2009*

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57	9.12.09		Advice to Clerk regarding proposed social weekend away comprising a group which included the Clerk and 2 Councillors.	Advice given that the Clerk should check whether the Council had a Code dealing with officer/member relations. The District Council code suggests that close personal familiarity should be avoided. However as this is a one off event it probably would not amount to a "close association" as envisaged under the definition of "personal interest" as the individuals concerned would not socialise generally (CM).	8,9,10
58.	13.1.10		A Town Council has set up a community interest company to manage the corn exchange and granted it a lease. 15 out of 16 Councillors are Board Members and 3 Town Councillors are also Directors of the Company.	Advice given that if the Town Council was dealing with anything likely to affect the company then they would have personal interests and if it was financial or regulatory it would also be prejudicial. As this would leave the Council unable to deal with the matter they would need to apply to the Standards Committee for dispensation (CM)	8,9,10

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59.	12, 13 & 14, 1.10		Enquiry from Member of the public, alleging that Parish Council was pursuing courses of action that favoured individuals in the community. Advice sought as to whether a vote of no confidence could be made in respect of the Council and what other action is available.	(See Agenda Item No. 8). Advice given that a vote of no confidence in the Council is not possible. The Council is elected for a 4 year term. Also advised enquirer that the code of conduct states that a Councillor must not use or attempt to use his position as a member improperly to confer on or secure for himself any other person an advantage or disadvantage. If a complaint was to be made to the Monitoring Officer concerning the actions of individual councillors, the person making the complaint should submit evidence with his/her claim. (RR).	
60.	25.1.10		Further to Case No. 57	The Chairman of the Amenities Committee is unlikely to have to declare a personal interest in connection with any dealings with the clerk and whilst the Vice-Chairman may wish to "declare" the connection in the interests of complete transparency if dealing with personnel/employment issues affecting the Clerk the Monitoring Officer did not consider it to be a true "personal interest" (CM).	8, 9, 10

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61.	28.1.10		A Parish Council have been offered a donation from a local resident towards a project in the village. The Council was concerned at the public perception of this gift should the Council be required to consider a planning application from the benefactor.	The gift of £200 from the local resident is to the Council which is a legal entity in itself. The gift is not to individual Councillors and so would not be something they have to declare, nor would it prevent them dealing with future planning applications. Regarding raffle and quiz night tickets the interest of the resident in question is no greater than anyone else in the village. (CD)	8, 9, 10
62.	2.2.10		A query regarding the potential interests of a Parish Councillor who is also a member of the Village Hall Trust.	As the Parish Council is being asked to give permission for the village hall trust to hold an event which would involve raising funds for the village hall and as the Councillor concerned has registered membership of the trust, that interest would be prejudicial given that the matter affects the finances of her registerable interests. There are no similar concerns over the erection of a fence. In the event of planning application from the village hall trust, any Councillor in membership of the trust committee would be required to declare a prejudicial interest. (CD).	8, 9, 10

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63.	11.2.10		The Parish Council is custodian trustee for the village hall. Do Members have a personal interest when matters affecting the village hall are discussed? Two individual Councillors sit on the management committee but have not been appointed by the Parish Council. Do they have personal interests?	Link sent to Standards for England guidance on charitable trustees and declarations of interest under the code. As the custodian trustee, is not a charity trustee, individual Members do not have to register an interest if they have no other connection with the village hall. Similarly they do not have a personal interest. The two individual members of the village hall management committee are likely to be charity trustees and should register their interest and declare a personal interest at meetings. Depending upon the subject matter of the discussion, the interest may also be of a prejudicial nature. (RR).	8, 9, 10