

Case Summary - Hyndburn Borough Council

Case no. SBE- 09357-UV6JL
Member(s): Councillor Peter Britcliffe
Date received: 02 Mar 2010
Date completed: 24 Jun 2010

Allegation:

That Councillor Britcliffe failed to declare a personal and prejudicial interest.

Standards Board outcome:

The ethical standards officer found that the member did not breach the Code of Conduct.

Case Summary

It was alleged that Councillor Britcliffe failed to declare the appropriate interest at a council meeting held on 18 November 2009. At that meeting Councillor Britcliffe updated those present on the 'Pennine Reach Rapid Transit Scheme'. It was alleged that, as the owner of a retail outlet possibly effected by one element of the scheme, that Councillor Britcliffe should have declared a personal and prejudicial interest in the scheme.

Councillor Britcliffe responded to the allegation by saying that the update he provided was about the scheme as a whole and not the element that concerned his retail premises. He said that he felt it was appropriate to take part in discussions about the scheme as leader of the council and because of controversial parking restrictions being considered for his ward, which were part of the wider scheme. Councillor Britcliffe added that all decisions regarding the scheme would be made by the county council not the borough council.

The ethical standards officer considered the circumstances in which Councillor Britcliffe spoke about the Pennine Reach Rapid Transit Scheme at the full council meeting. Councillor Britcliffe was acting in his official capacity when he provided his update, but it was purely an oral update and no discussion or debate took place or was invited. The ethical standards officer concluded that although there was consideration of the update at the meeting, this did not give rise to an obligation to declare interests in relation to this item of business. Therefore the ethical standards officer found that there was no failure to comply with the council's Code of Conduct.

Relevant paragraphs of the Code of Conduct

Paragraph 9 – disclosure of personal interests

Paragraph 12 – effect of prejudicial interests on participation