

**EXTRACT FROM LOG OF CODE OF CONDUCT ENQUIRIES:  
3<sup>rd</sup> SEPTEMBER 2010 ONWARDS**

<b>Case No.</b>	<b>Date of Enquiry</b>	<b>District/Town/Parish Council</b>	<b>Nature of Enquiry (Brief Details)</b>	<b>Advice Given (Brief Details)</b>	<b>Code of Conduct Reference (Para No.)</b>
74.	03.09.10		Enquiry regarding interests arising from a planning application being considered by the Parish Council. One of the Parish Councillors was a neighbour to the application property.	Advised Parish Councillor that she would have to declare personal and prejudicial interests and as the Council had no session for the public to address meetings, the Councillor had no opportunity to address the Council and would need to leave the room whilst the application was being discussed and voted on. (CM)	8, 9, 10, 12(2)
75.	09.09.10		Enquiry regarding the interests a Town Councillor should declare in a situation where he would be considering an application for grant from an organisation of which his wife is a Director.	Advised the Clerk that the Member should declare a personal and prejudicial interest as the matter under consideration affected the financial position of a person or body through whom he had a personal interest. (CD)	8, 9, 10

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76.	09/09/10		Enquiry from a newly elected Parish Councillor as to the interests he would need to declare when the Council discusses a planning application on which he had already submitted a written objection as a member of the public.	Advised Parish Councillor that he should declare a personal and prejudicial interest as he had already formed a view on the planning application. Also explained the provisions of paragraph 12 (2) which allows a Member with a prejudicial interest to speak in the same way as a Member of the public but then to leave the room and not take part in the vote. (CD)	8, 9, 10, 12(2)
77.	27.09.10		Enquiry regarding charitable trustees and declarations of interest.	Advised that where a Council is a managing or charity trustee, individual councillors do not have to declare this interest on their register of interests. There might still be a "personal" interest if the business being considered might reasonably be regarded as affecting the councillor's well-being or financial position more than it would affect the majority of inhabitants of the parish. Where the matter also affects the financial position of a trust or relates to a regulatory matter, the interest might also be prejudicial if an objective person would consider the interest as so significant that it is likely to prejudice judgement of the public interest. Advice regarding dispensation given and copy of advice note from Standards for England sent to Clerk. (CM)	8, 9, 10

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78.	11.10.10		Enquiry from a dual hatted District Councillor regarding interests to declare at a meeting at which a jointly funded Leisure Centre would be discussed.	Advised that if business to be considered involves another public body of which the Councillor is a member, he/she should declare a personal interest. If discussions involved implications for that other body (ie the District Council) then he/she would be required to declare a prejudicial interest and to leave the room. (CM).	8, 9, 10
79.	19.10.10		Enquiry from a Parish Clerk regarding the interests a Parish Councillor should declare in connection with a planning application.	As the Parish Councillor lived in a property opposite the proposed development site, advised that he/she held a personal and prejudicial interest but that if the Parish Council had adopted paragraph 12(2) of the Code of Conduct that Councillor after declaring the interest would be entitled to speak in the same way as a member of the public but then would need to leave the room until the matter was concluded. (VS)	8, 9, 10, 12(2)