

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in ROOM CVS0 1A, CIVIC SUITE, PATHFINDER HOUSE, ST MARY'S TREET, HUNTINGDON, PE29 3TN on Tuesday, 21 December 2010.

PRESENT: Mr M Lynch – Chairman.

Councillor A Hansard and Mr G Watkins.

### **23. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 22nd October 2010 were approved as a correct record and signed by the Chairman.

### **24. MEMBERS' INTERESTS**

No interests were declared.

### **25. GUIDANCE TO ASSIST ASSESSMENT OF CASES**

The guidance produced by 'Standards for England' and collated by the Monitoring Officer to assist the Sub-Committee in their assessment of the cases submitted was received and noted.

### **26. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED

that the public be excluded from the meeting because the business to be transacted contained exempt information under paragraph 7(c) relating to the deliberations of a Sub-Committee of the Standards Committee established under the provisions of Part 3 of the Local Government Act 2000.

### **27. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 38**

The Sub-Committee considered the following documents collated by the Monitoring Officer (copies of which are appended in the Minute Book) to assist their deliberations in respect of a complaint received against two Councillors serving on Ramsey Town Council -

- ◆ original complaint: email from Councillor M Cusack;
- ◆ email from Ramsey Town Clerk dated 10th December and enclosures which included - Town Council Minutes: 9th and 23rd September 2010;
- ◆ report to Town Council meeting - 9th September 2010;
- ◆ proposed cycle track - public letter dated 23rd July; and
- ◆ registration of interest forms of Councillors R McFadyen and Mrs P Taylor.

A copy of the Standing Orders of Ramsey Town Council also had been circulated to the Sub-Committee after the despatch of the

agenda, a copy of which also is appended in the Minute Book.

Prior to their consideration of the allegations made, the Monitoring Officer confirmed that the complainant had been advised that the provisions of the Code of Conduct did not apply to the actions of the Town Council as a body or organisation and thus that element of the complaint should be disregarded.

## **28. INITIAL ASSESSMENT - CASE NO. 38**

Having considered the allegations made in the complaint against Councillors Mrs P Taylor and R McFadyn of Ramsey Town Council seeking the advice of the Monitoring Officer as appropriate, it was

RESOLVED

- (a) that no further action be taken in respect of the allegation against Councillor Mrs P Taylor for the reason set out in the "Decision Notice - No Further Action" appended to these Minutes as no potential breach of the Code of Conduct was disclosed by the complaint; and
- (b) that, whilst the actions of Councillor McFadyn clearly were a breach of the Code of Conduct, the complaint be not investigated but referred to the Monitoring Officer for other action for the reasons set out in the "Decision Notice - Referral For Other Action" appended to these Minutes.

## **29. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 39**

The Sub-Committee considered the pre-assessment report by the Monitoring Officer to which was attached the following correspondence/information (a copy of which is appended in the Minute Book) to assist Members in assessing the case -

- ◆ original complaint form; and
- ◆ registration of interests form.

## **30. INITIAL ASSESSMENT - CASE NO. 39**

Further to the allegation made in the case of Councillor N Gowler of Upwood and the Raveleys Parish Council and having regard to the evidence presented and the advice of the Monitoring Officer, it was

RESOLVED

that, as it was the Sub-Committee's opinion that the alleged incident would not have been serious enough to amount to a breach of the Code of Conduct, the complaint be referred to the Monitoring Officer for other action for the reasons set out in the "Decision Notice - Referral for Other Action" appended to these Minutes.

The Chairman thanked his colleague Members, the Monitoring Officer and Democratic Services Manager for their support and contribution

to the work of the Sub-Committee during the past year.

Chairman