



**EXTRACT FROM LOG OF CODE OF CONDUCT ENQUIRIES:
MARCH 2011 ONWARDS**

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>
82	09.03.11		Enquiry from Parish Clerk regarding the interests to be declared by Members of a Parish Council in relation to a wind farm application. Several Members had declared an interest when the application was going through the planning process and a question arose as to whether they would need to do so again when preparing a submission for the Planning Appeal Enquiry.	The Parish Clerk was advised that if the Council was still dealing with representations on a planning application/appeal through the formal meeting process, then those who had previously declared personal and prejudicial interests should do the same again. Use of paragraph 12 (2) provisions may allow those effected to make their views known during the public forum part of the meeting. (CD)	8, 9, 10

83	18.04.11	Enquiry from District Councillor regarding the interest he should declare at a Council meeting which was due to consider a petition on the Council's policy on wind farms. He had not signed the petition but his home address was close to a future wind farm development site		As the Councillor had not signed the petition and it related to a general policy proposal, advice given that he did not have a personal or prejudicial interest so could speak and vote. Further advised that if the Councillor was a member of a lobby group relating to wind farms he should declare a personal interest only and then speak and vote. (CM)	8, 9, 10
84	18.05.11	Enquiry from Parish Councillor about the interest of a newly elected Parish Councillor who had threatened legal action against the Council. It was suggested that the Councillor had placed himself in an untenable situation.		The Code of Conduct applied to a Councillor when acting in their official capacity. Advice was given that the new Councillor had acted in his private capacity as it was action instigated before he had been elected. However, if the matter was considered by the Parish Council the Councillor concerned would have an interest and would need to declare it. (CM)	8, 9 10
85	24.06.11	Enquiry from Parish Councillor regarding the interests he should declare having visited an application site and had tea with the homeowner.		Councillor advised that it was acceptable to visit the site and ask questions of the homeowner to establish facts and understand the proposals. However by having tea with the homeowner, it might suggest that the Councillor enjoyed a friendship with the individual and if so, he would be required to declare a personal and prejudicial interest if dealing with a regulatory matter. If the Councillor visited the site but felt he had no close association with the homeowner, he could declare a personal interest, remain in the meeting and vote. Use of	9. 10

				paragraph 12(2) of the Code of Conduct if adopted by the Parish Council was possible in the event of a prejudicial interest. (CD)	
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