

## DECISION NOTICE: REFERRAL FOR INVESTIGATION

### Reference: Case No. 20 (i)

The Referrals (Assessment) Sub-Committee appointed by Huntingdonshire District Council resolved to exclude the public from the Sub-Committee's proceedings under paragraph 7(c) of Schedule 12A to the Local Government Act 1972 and paragraph 8(b) of the Standards Committee (England) Regulations 2008. In these circumstances, all parties associated with the complaint are requested to exercise caution when discussing or passing on information that is in the notice or about the notice.

### Complaint

On 3rd September and 6th October 2009, the Referrals (Assessment) Sub-Committee of this authority comprising Messrs M Lynch (Chairman) and G Watkins and Councillor Mrs B E Boddington considered a complaint from Mr C Bolton concerning the alleged conduct of Councillor C Thorne, a Member of Yaxley Parish Council. A summary of the complaint is set out below.

The complaint alleged that Councillor Thorne had breached paragraph 3 (1) of the Parish Council's Code of Conduct which states that –

"You must treat others with respect;"

The complaint was submitted in response to the complainant's concerns over the alleged comments made by Councillor Thorne during a meeting of the District Council's Development Management Panel on 20th July 2009 at which an application submitted by Yaxley Parish Council had been determined.

### Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Referrals (Assessment) Sub-Committee of the Standards Committee decided to refer the matter to the Monitoring Officer for investigation.

### Potential Breaches of the Code of Conduct Identified

The Sub-Committee has identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct. The investigator will determine which paragraphs are relevant during the course of the investigation –

- ◆ failing to treat others with respect (paragraph 3 [1]).

This Decision Notice is sent to the person or person(s) making the allegation, the Member against whom the allegation is made and to the Clerk of Yaxley Parish Council.

The Sub-Committee referred the complaint to the Monitoring Officer for investigation, having regard to the conduct expected of an elected Member and given the opportunity an investigation would present to Councillor Thorne to give his version of events and to clarify any remarks which may have been made.

**What happens now?**

The Monitoring Officer will appoint an Investigating Officer to investigate the allegation of misconduct. Investigations are undertaken and a report completed within six months of the original complaint being assessed by the Referrals (Assessment) Sub-Committee.

Further information on the investigation process is available on the website of the Standards Board for England at [www.Standardsboard.gov.uk](http://www.Standardsboard.gov.uk)

**Terms of Reference**

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that Members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of local authority Members and the requirements for dealing with this.

The local regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by Members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committees) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

**Signed:** ..... **Date:** .....

Mr M Lynch  
Chairman of Sub-Committee