

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in ROOM D6, THIRD FLOOR, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, CAMBS PE29 3TN on Tuesday, 17 March 2009.

PRESENT: Mr P Boothman – Chairman.
Councillor G S E Thorpe and Mr G Watkins.

IN ATTENDANCE: Mr M J Reece (observed the proceedings).

56. MINUTES

The Minutes of the meeting of the Sub-Committee held on 13th February 2009 were approved as a correct record and signed by the Chairman.

57. MEMBERS' INTERESTS

No interests were declared.

58. TERMS OF REFERENCE

The Terms of Reference of the Sub-Committee were noted.

59. GUIDANCE TO ASSIST ASSESSMENT OF CASE

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

60. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

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

61. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 12

Members considered the following documents collated by the Monitoring Officer (copies of which are appended in the Minute Book) to assist the Sub-Committee in its deliberations -

- (a) Pre-Assessment Report by the Monitoring Officer
- (b) Original letter of complaint received on 3rd March 2009 plus two attachments;

- (c) Declaration of Financial and Other Interests - Councillor D C Youles;
- (d) Further email from complainant dated 11th March 2009; and
- (e) Declaration of Financial and Other Interests - Councillor C Thorne.

62. INITIAL ASSESSMENT - CASE NO. 12

The Sub-Committee considered the allegations made in a case against two Councillors serving on Yaxley Parish Council seeking the advice of the Monitoring Officer as necessary. On the basis of the evidence before them, the Sub-Committee

RESOLVED

that the allegation made against Councillors C Thorne and D C Youles, that they each failed to comply with paragraph 3 (2) (b) of the Parish Council's Code of Conduct in relation to bullying another person be referred to the Monitoring Officer for investigation for the reasons set out in the "Decision Notice: Referral for Investigation" appended to these Minutes;

In the complainant's letter attached to an email dated 3rd March, 2009 reference was made to the enclosure of a document entitled "Scan 2". However, following further enquiries of the documentation sent to the Monitoring Officer by the complainant, it appeared that a copy of Scan 2 had not been received. As this document appeared material to the evidence presented in respect of the alleged breach of paragraph 5 of the Code of Conduct by Councillors Thorne and Youles, the Sub-Committee

RESOLVED

that the meeting of the Sub-Committee stand adjourned until Wednesday 25th March 2009 to enable the Monitoring Officer to request a copy of document "Scan 2" from the complainant.

63. ON RESUMPTION

At a meeting of the Referrals (Assessment) Sub-Committee held in Room D, Centenary House, St. Mary's Street, Huntingdon on Wednesday 25th March 2009.

PRESENT: Mr P Boothman, Chairman

Councillor G S E Thorpe and Mr G Watkins.

64. INITIAL ASSESSMENT - CASE NO. 12 (CONTINUED)

Following the meeting of the Sub-Committee held on 17th March 2009, the Monitoring Officer had requested a copy of the document "Scan 2" from the complainant. In addition, the complainant had forwarded the following additional documents for consideration by the

Sub-Committee -

- (a) Emails dated 17th and 23rd March 2009;
- (b) Copy of email from Councillor Mrs M Banerjee to the complainant dated 18th February 2009;
- (c) Copy of "Scan 2 (a)" - letter from Mrs Y Mold;
- (d) Copy of "Scan 2" - signed by A Bartle and G Mold;
- (e) Copy of further un-dated letter from complainant; and
- (f) A list of questions addressed to Yaxley Parish Council on 10th March 2009.

A copy of the Minutes of Yaxley Parish Council's Playing Fields Committee dated 28th October 2008 also was circulated to the Sub-Committee.

Having carefully considered all the evidence in the case and consulted the Monitoring Officer for advice during their deliberations, the Sub-Committee

RESOLVED

- (a) that the allegations made against Councillor C Thorne and D C Youles that they failed to comply with paragraph 5 of the Parish Council's Code of Conduct in relation to "conduct which could be regarded as bringing their authority into disrepute" be not referred for investigation and that no further action be taken in the case for the reasons set out in the "Decision Notice: No Further Action" appended to these Minutes; and
- (b) that the Monitoring Officer consider writing to all Town and Parish Councils to alert them to the possibility that Members of the Standards Committee may attend future meetings to observe their proceedings.

Chairman