

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the REFERRALS (ASSESSMENT) SUB COMMITTEE held in Room 3.1, Third Floor, Pathfinder House, St. Mary's Street, Huntingdon, Cambs, PE29 3TN on Friday, 1 July 2011.

PRESENT: Mr M Lynch.

Councillor T D Sanderson and Mr J Alexander.

### **45. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 14th June 2011 were approved as a correct record and signed by the Chairman.

### **46. MEMBERS' INTERESTS**

No interests were declared.

### **47. 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.

### **48. 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.

### **49. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 46**

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 a Councillor serving on St. Neots Town Council –

- ◆ Code of Conduct complaint form dated 6th June 2011;
- ◆ Further letter from Mr M Usher dated 9th June 2011; and
- ◆ Declaration of financial and other interests form (District) – Councillor R S Farrer.

On receipt of the agenda, the Chairman asked a series of further questions and the responses to these, as far as possible, were collated by the Monitoring Officer and circulated at the meeting (a copy of which also is appended in the Minute Book).

**50. INITIAL ASSESSMENT - CASE NO 46**

Having considered the allegation made in the complaint against Councillor R S Farrer of St. Neots Town Council seeking the advice of the Monitoring Officer as appropriate, it was

RESOLVED

that, given the status of Councillor Farrer as a Member of the Standards Committee and concern that the assessment be conducted by a body independent of the Sub-Committee, the complaint be referred to Standards for England for assessment.

**51. PRE-ASSESSMENT REPORT AND ENQUIRIES - CASE NO. 47**

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

- ◆ Code of Conduct complaint form and accompanying correspondence dated 13th June 2011;
- ◆ Declaration of financial and other interests form – Councillor I Dobson.

On receipt of the agenda, the Chairman asked a series of further questions and the responses to these, as far as possible, were collated by the Monitoring Officer and circulated at the meeting (a copy of which also is appended in the Minute Book).

**52. INITIAL ASSESSMENT - CASE NO. 47**

The Sub-Committee had difficulty in forming a conclusion on the complaint and had further questions which were unable to be answered from the evidence submitted. The Monitoring Officer was requested to seek further information on the content of Mrs Melnyczuk's letter addressed to Councillor D Hodge dated 8th March 2011 and, in particular, the paragraphs headed Environmental Improvements and Finance. Regarding a meeting on environmental improvements and given that the allegations made appeared to be based on hearsay (as the complainant was not present when alleged "derogatory remarks" were made) the complainant was requested to provide signed witness statements in support of the allegations. In terms of the finance meeting, the complainant was requested to confirm the purpose and status of the meeting, who it was convened by, who attended and when and where it had taken place. Having requested the Monitoring Officer to contact the complainant to seek to collate the further information required, it was

RESOLVED

that the meeting be adjourned pending the receipt of further information from the complainant.

### **53. UPON RESUMPTION**

At a meeting of the Referrals (Assessment) Sub-Committee held in Room 3.1, Pathfinder House, St. Mary's Street, Huntingdon on Thursday 1st September 2011.

PRESENT: Mr M Lynch – Chairman

Councillor T D Sanderson and Mr J Alexander.

### **54. INITIAL ASSESSMENT - CASE NO. 46 CONTINUED**

Members were reminded that the Sub-Committee had referred Case No. 46 to Standards for England given the status of the subject matter as a member of the Standards Committee (a copy of the Decision Notice is appended in the Minute Book).

The Monitoring Officer reported that Standards for England had subsequently referred the case back to the Standards Committee (a copy of the letter and Decision Notice received from Standards for England is appended in the Minute Book) because they were "confident that suitable alternative arrangements could be put in place to address (any) perceived difficulty and the complaint assessed and dealt with impartially and efficiently locally". Mindful of their earlier conclusions and of the need to be open, transparent and impartial in dealing with a complaint concerning a member of the Standards Committee, it was

RESOLVED

that the complaint be referred to the Monitoring Officer for investigation.

### **55. INITIAL ASSESSMENT - CASE NO. 47 (CONTINUED)**

Further to Minute No. 52, the Sub-Committee considered further information received from the complainant as follows (copies of which are appended in the Minute Book) –

- ◆ letter and attachments from complainant; and
- ◆ email from Councillor J D Ablewhite.

The complainant had taken the opportunity to submit further evidence in support of the complaint and requested that this be considered in addition to the documentation provided previously. Following advice from the Monitoring Officer, the Sub-Committee took the view that whilst the additional evidence submitted could be treated as a new complaint, as its content extended beyond that originally requested, it would be pragmatic for the Sub-Committee to accept the documents to assist in their further understanding of the case. Having carefully considered the original and new evidence, the Sub-Committee

RESOLVED

that no further action be taken in respect of the allegation against Councillor I Dobson for the reasons 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.

Chairman