

Cherwell District Council

Standards Assessment Sub-Committee

Minutes of a meeting of the Standards Assessment Sub-Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 22 June 2010 at 5.00 pm

Present: Dr Sadie Reynolds
Councillor Fred Blackwell
Councillor Alan Greenslade-Hibbert

Also Present:: Derek Bacon

Officers: Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer
Natasha Clark, Senior Democratic and Scrutiny Officer

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Assessment of Complaint

The Chairman advised the Assessment Sub-Committee that the complainant had been advised of their decision to refuse the request for confidentiality. The complainant had advised the Monitoring Officer that he would not withdraw the complaint.

Summary of Complaint

The Assessment Sub-Committee considered a complaint submitted by Mr Harrigan concerning the alleged conduct of Councillor Coles, a member of Shenington with Alkerton Parish Council. The complaint is summarised below:

The complaint alleges that Councillor Coles has failed to observe that Parish Council's Code of Conduct by not declaring a prejudicial interest in agenda item 10 (c) Letter re Unauthorised Cutting of Hedge at the meeting of Shenington with Alkerton Parish Council on 14 April 2010 and has prevented the complainant from accessing information to which he is entitled by law. It is alleged that Councillor Coles has used her position improperly as she had a prejudicial interest in agenda item 10 (c) as was authored the original letter under a pseudonym and subsequently prevented the complainant from obtaining a copy of the letter.

The Main Points Considered by the Sub-Committee

The Assessment Sub-Committee in considering the complaint had regard to:

- (1) A copy of an email sent by Mr Harrigan to the Monitoring Officer on 6 May 2010 seeking advice on the matter and subsequent communication between Mr Harrigan and the Monitoring Officer including Mr Harrigan's complaint submitted on 17 May 2010.
- (2) A copy of the agenda of the meeting of Shenington with Alkerton Parish Council held on 14 April 2010.
- (3) A copy of the minutes of the meeting of Shenington with Alkerton Parish Council held on 14 April 2010.
- (4) A copy of the letter re unauthorised cutting of hedge referred to at agenda item 10 (c).
- (5) A letter from the Parish Clerk of Shenington with Alkerton Parish Council dated 27 May 2010 and an extract of the Parish Clerks notes of the meeting of Shenington with Alkerton Parish Council held on 14 April 2010.
- (6) The approved Assessment Criteria
- (7) Section 2 of "The Code of Conduct Guide for members May 2007" which sets out matters relating to general obligations under the Code together with a copy of "The Ten General Principles of Public Life" which forms Table 1 of the Guide

The Assessment Sub-Committee confirmed, based on the Assessment Criteria, that the complaint fell within its remit and that one of the following initial assessment decisions could be made;

- (1) to refer the complaint to the Monitoring Officer for local investigation;
- (2) to ask the Monitoring Officer to consider alternative action;
- (3) to refer the complaint to the Standards Board;
- (4) to take no action.

The main points arising from the complaint were:-

Conclusions

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee of the Standards Committee decided to take no further action.

The Assessment Sub-Committee felt that it was not necessary for Councillor Coles to request that the letter be read at the Shenington with Alkerton Parish Council meeting of 14 April 2010. However no further action would be taken as the complaint was not considered sufficiently serious to warrant further action.

The Reasons

The reasons for the Assessment Sub-Committee's conclusions were:

That the complaint was not considered sufficiently serious to warrant further action.

The meeting ended at 5.30 pm

Chairman:

Date: