Standards Board for England

25 January 2007

## **PRIVATE & CONFIDENTIAL**

Mrs Christine Nuttall
Monitoring Officer
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Dear Mrs Nuttall

REFERENCE: SBE14013.06, SBE14014.06 & SBE14025.06

I refer to Lisa Klein's letters of 21 December 2006.

I enclose a copy of the case summaries which the Standards Board for England will shortly publish on its website, at the address given above. These summaries are not confidential/and may be disclosed.

Yours/sincerely

Po Nick Parkin Investigator

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Enc.

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## Case summary

SBE case number	SBE14025.06
member	Councillor Roger McInnes
authority	Swanley Town Council
allegation	A member failed to declare a personal interest, failed to withdraw from meetings when matters in which he had a prejudicial interest were discussed and failed to register interests.
date received	6 January 2006
date completed	21 December 2006
SBE outcome	The Ethical Standards Officer found no evidence of any failure to comply with the Code of Conduct.

## summary

It was alleged that Councillor Roger McInnes, a member of Swanley Town Council, failed to declare an interest in a review of the council's electoral arrangements. The arrangements were considered at a number of town council meetings between 24 March 2004 and 20 July 2005.

It was also alleged that Councillor McInnes failed to declare an interest in the matter of the proposed split of the council and the creation of a separate parish council for Hextable village. This issue was considered at town council meetings between 26 January and 20 July 2005.

Councillor McInnes allegedly had personal and prejudicial interests because he was a member of the Hextable Residents Association, which had campaigned on the issues.

Confidence in local democracy

The Ethical Standards Officer considered that, on the basis of the available evidence, the residents' association could not be regarded as a body whose principal purposes included the influence of public opinion or policy.

The Ethical Standards Officer regarded the association as a body formed to promote the social and community interests of Hextable residents. Since April 2005 it had increasingly focused on the issue of a separate parish council for Hextable, but it had continued to conduct its other community and social roles.

The Ethical Standards Officer therefore considered that Councillor McInnes did not have to register his membership of the association in his register of interests or declare a personal interest on the basis of his membership.

The Ethical Standards Officer also considered that the review of the council's electoral arrangements and the matter of the separate parish council would not have affected Councillor McInnes's financial position or well-being more than others in the area of the authority.

The Ethical Standards Officer concluded that Councillor McInnes did not have a personal or prejudicial interest in the electoral arrangements or the proposals for a separate parish council. The Ethical Standards Officer therefore found that there was no evidence of any failure to comply with the Code of Conduct.

## relevant paragraphs of the Code of Conduct

The allegation in this case relates to paragraphs 8, 10 and 13 of the Model Code of Conduct for Parish Councils. Paragraph 8 states that "a member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent". Paragraph 10 states that a member with a prejudicial interest in any matter must "withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting" and that he must "not seek improperly to influence a decision about that matter". Paragraph 13 states that "within 28 days of the provisions of the authority's code of conduct being adopted or applied to that authority or within 28 days of his election or appointment to office (if that is later), a member must register his other interests in the authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to the monitoring officer of the responsible authority of his membership or position of general control or management" in a number of listed organisations, including any body whose principal purposes include the influence of public opinion or policy".

Ends.



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# Case summary

SBE case number	SBE14014.06
member	Councillor Geoffrey Blaxall
authority	Swanley Town Council and Sevenoaks District Council
allegation	A member failed to declare a personal interest, failed to withdraw from meetings when matters in which he had a prejudicial interest were discussed and failed to register interests.
date received	6 January 2006
date completed	21 December 2006
SBE outcome	The Ethical Standards Officer found no evidence of any failure to comply with the Code of Conduct.

#### summary

It was alleged that Councillor Geoffrey Blaxall, a member of Swanley Town Council and Sevenoaks District Council, failed to declare an interest in a review of the town council's electoral arrangements. The arrangements were considered at a number of town council meetings between 24 March 2004 and 20 July 2005.

It was also alleged that Councillor Blaxall failed to declare an interest in the matter of the proposed split of the town council and the creation of a separate parish council for Hextable village. This issue was considered at town council meetings between 26 January and 20 July 2005.

Confidence in local democracy

Councillor Blaxall allegedly had personal and prejudicial interests because he was a member of the Hextable Residents Association, which had campaigned on the issues.

The Ethical Standards Officer considered that, on the basis of the available evidence, the residents' association could not be regarded as a body whose principal purposes included the influence of public opinion or policy.

The Ethical Standards Officer regarded the association as a body formed to promote the social and community interests of Hextable residents. Since April 2005 it had increasingly focused on the issue of a separate parish council for Hextable, but it had continued to conduct its other community and social roles.

The Ethical Standards Officer therefore considered that Councillor Blaxall did not have to register his membership of the association in his register of interests or declare a personal interest on the basis of his membership.

The Ethical Standards Officer also considered that the review of the town council's electoral arrangements and the matter of the separate parish council would not have affected Councillor Blaxall's financial position or well-being more than others in the area of the authority.

The Ethical Standards Officer concluded that Councillor Blaxall did not have a personal or prejudicial interest in the electoral arrangements or the proposals for a separate parish council. The Ethical Standards Officer therefore found that there was no evidence of any failure to comply with the Code of Conduct.

## relevant paragraphs of the Code of Conduct

The allegation in this case relates to paragraphs 8, 10 and 13 of the Model Code of Conduct for Parish Councils. Paragraph 8 states that "a member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent". Paragraph 10 states that a member with a prejudicial interest in any matter must "withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting" and that he must "not seek improperly to influence a decision about that matter". Paragraph 13 states that "within 28 days of the provisions of the authority's code of conduct being adopted or applied to that authority or within 28 days of his election or appointment to office (if that is later), a member must register his other interests in the authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to the monitoring officer of the responsible authority of his membership or position of general control or management" in a number of listed organisations, including any body whose principal purposes include the influence of public opinion or policy".

Ends.



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## **Case summary**

SBE case number member	SBE14013.06  Councillor Dee Morris
authority	Swanley Town Council and Sevenoaks District Council
allegation	A member failed to declare a personal interest, failed to withdraw from meetings when matters in which she had a prejudicial interest were discussed and failed to register interests.
date received	6 January 2006
date completed	21 December 2006
SBE outcome	The Ethical Standards Officer found no evidence of any failure to comply with the Code of Conduct.

### summary

It was alleged that Councillor Dee Morris, a member of Swanley Town Council and Sevenoaks District Council, failed to declare an interest in a review of the town council's electoral arrangements. The arrangements were considered at a number of town council meetings between 24 March 2004 and 20 July 2005. The arrangements were also discussed at a meeting of the district council's electoral arrangements committee on 11 July 2005.

It was also alleged that Councillor Morris failed to declare an interest in the matter of the proposed split of the town council and the creation of a separate parish council for Hextable village. This issue was considered at town council meetings between 26 January and 20 July 2005.

Confidence in local democracy

Councillor Morris allegedly had personal and prejudicial interests because she was a high-profile and active member of the Hextable Residents Association, which had campaigned on the issues.

The Ethical Standards Officer considered that, on the basis of the available evidence, the residents' association could not be regarded as a body whose principal purposes included the influence of public opinion or policy.

The Ethical Standards Officer regarded the association as a body formed to promote the social and community interests of Hextable residents. Since April 2005 it had increasingly focused on the issue of a separate parish council for Hextable, but it had continued to conduct its other community and social roles.

The Ethical Standards Officer therefore considered that Councillor Morris did not have to register her membership of the association in her register of interests or declare a personal interest on the basis of her membership.

The Ethical Standards Officer also considered that the review of the town council's electoral arrangements and the matter of the separate parish council would not have affected Councillor Morris' financial position or well-being more than others in the area of the authority.

The Ethical Standards Officer concluded that Councillor Morris did not have a personal or prejudicial interest in the electoral arrangements or the proposals for a separate parish council. The Ethical Standards Officer therefore found that there was no evidence of any failure to comply with the Code of Conduct.

# relevant paragraphs of the Code of Conduct

The allegation in this case relates to paragraphs 8, 10 and 13 of the Model Code of Conduct for Parish Councils. Paragraph 8 states that "a member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent". Paragraph 10 states that a member with a prejudicial interest in any matter must "withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting" and that he must "not seek improperly to influence a decision about that matter". Paragraph 13 states that "within 28 days of the provisions of the authority's code of conduct being adopted or applied to that authority or within 28 days of his election or appointment to office (if that is later), a member must register his other interests in the authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to the monitoring officer of the responsible authority of his membership or position of general control or management" in a number of listed organisations, including any body whose principal purposes include the influence of public opinion or policy".

Ends.