

Case summary

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SBE case number	SBE17779.07
member	Councillor Brian Ramsay
authority	Hartley Parish Council
allegation	The member failed to disclose a personal interest and failed to withdraw from a meeting in which they had a prejudicial interest.
date received	21 December 2006
date completed	13 July 2007
SBE outcome	The ethical standards officer found no evidence of any failure to comply with the Code of Conduct.

Summary

The complainant alleged that Councillor Brian Ramsay of Hartley Parish Council failed to declare an interest in the complainant's planning application when it was considered at a planning committee meeting. The complainant alleged that Councillor Ramsay had an interest because the complainant had previously complained to the Standards Board for England about Councillor Ramsay about an unrelated issue. The complainant also alleged that Councillor Ramsay had a vendetta against him when it came to planning matters.

The first complaint, which had no connection to the planning application, was not referred for investigation by the Standards Board. Councillor Ramsay was notified of this the day before the complainant's planning application was considered.

The ethical standards officer considered that to suggest a member would have an interest in any planning application lodged by a person who had complained about that member to the Standards Board would be an uncertain interpretation of the Code of Conduct.

In these circumstances, the ethical standards officer concluded that Councillor Ramsay did not have an interest in the complainant's planning application.

The ethical standards officer also concluded that although the relationship between Councillor Ramsay and the complainant appeared fractious, there was no evidence to suggest that Councillor Ramsay would consider planning applications from the complainant in any way other than in accordance with proper planning principles.

The ethical standards officer found 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 9 and 12 of the Code of Conduct. Paragraph 9 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 12 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".

recommendations

Ends.

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SBE case number	SBE17780.07
member	Councillor James Gaywood
authority	Hartley Parish Council
allegation	The member failed to disclose a personal interest and failed to withdraw from a meeting in which they had a prejudicial interest.
date received	21 December 2006
date completed	13 July 2007
SBE outcome	The ethical standards officer found no evidence of any failure to comply with the Code of Conduct.

Summary

The complainant alleged that Councillor James Gaywood of Hartley Parish Council failed to declare an interest in the complainant's planning application when it was considered at a planning committee meeting. The complainant alleged that Councillor Gaywood had an interest because the complainant had previously complained to the Standards Board for England about Councillor Gaywood about an unrelated issue.

The first complaint, which had no connection to the planning application, was not referred for investigation by the Standards Board. Councillor Gaywood was notified of this the day before the complainant's planning application was considered.

The ethical standards officer considered that to suggest a member would have an interest in any planning application lodged by a person who had complained about that member to the Standards Board would introduce an unacceptable level of uncertainty in interpreting the Code of Conduct.

In these circumstances, the ethical standards officer concluded that Councillor Gaywood did not have an interest in the complainant's planning application and found 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 9 and 12 of the Code of Conduct. Paragraph 9 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 12 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".

recommendations

Ends.