



Telford & Wrekin

C O U N C I L

DECISION NOTICE: REFERRAL FOR OTHER ACTION

Reference 2008/2(iii)

Complaint

On 15th December 2008, the referrals sub-committee of the standards committee of this authority considered a complaint from [REDACTED] a member of the public from Dawley Bank concerning the alleged conduct of Councillor Nicola Holmes, a member of Great Dawley Parish Council. A general summary of the complaint below:

The complaint relates to the relocation of a telecommunication mast originally planned for Stone Row/Brunel Road (Planning Application W2005/0893) to the Malinslee Playing Fields (W2006/0782).

The complainant states that Councillor Nicola Holmes sat on the Great Dawley Parish Council Sub-Committee on the 19 August 2005 and objected to the telephone mast. It is also stated that she signed the petition which the claimant states was organised by [REDACTED]. The complainant states that in doing so Councillor Holmes did not declare an interest.

The Clerk to Great Dawley Parish Council confirms that Councillor Holmes was a Councillor during 2005 and 2006 and that Councillor Holmes remains a Councillor on Great Dawley Parish Council.

Information from the Clerk to Great Dawley Parish Council including copies of minutes of the Planning and Environment Committee dated 19th August 2005 and 6th July 2006 respectively.

Register of interest forms for Councillor Nicola Holmes from Great Dawley Parish Council.

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the referrals sub-committee of the standards committee decided to refer the allegation to the monitoring officer for the provision of Code of Conduct training to be made available to Councillor Holmes.

Potential breaches of the Code of Conduct identified

We have identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct.

- failing to declare a personal or prejudicial interest
- having a prejudicial interest and failing to act appropriately

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and to the Clerk of Great Dawley Parish Council.

What happens now?

The Monitoring Officer is to contact Councillor Holmes and invite her to attend Code of Conduct Training to be arranged and provided by the Monitoring Officer.

The referrals sub-committee believe that it is appropriate to make this direction for the following reason –

The referrals sub-committee are concerned that the complaint revealed that at the time referred to in the complaint there was an apparent lack of guidance, protocols and procedures at Great Dawley Parish Council.

Terms of reference

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and the requirements for dealing with this.

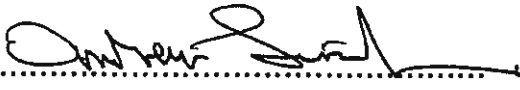
The regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committee) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

If you require any assistance in this regard please contact us on 01952 383255.

Signed  Date 18/12/08

Mr. A. Simpson - Chair of the Referrals Sub-Committee