

**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES ON FRIDAY 16 JUNE 2006**

MEMBERS

* Mr I Stolliday – Chairman

∅ Dr L Durman - Vice-Chairman

* Cllr J S Beer

∅ Mr M Winterton

* Cllr G Date

* Denotes attendance

∅ Denotes apology for absence

Also in attendance:

Pamela Melville – Subject of the Complaint

Cllr J T Pennington – Representing Mrs Melville

Paul Arrowsmith – Complainant

Joanna Radford, Clerk to Holne Parish Council

Colin Miles – Investigating Officer

Delyth Jenkins-Evans – Legal Advisor

S.1/06 **MINUTES**

The minutes of the meeting of the Committee held on 11 October 2005 were confirmed as a correct record and signed by the Chairman.

S.2/06 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none was made.

S.3/06 **HEARING OF COMPLAINT SBE 13623.05**

The Chairman welcomed and introduced all those present.

a) Procedural Issues

The Legal Advisor outlined the procedure for the hearing and advised that Mrs Melville was no longer a Parish Councillor and, therefore, the only possible sanctions in the event of a finding of

the breach of the Code of Conduct were censure or no further action.

Mrs Melville was invited to confirm whether or not she disputed some of the findings of fact contained within the Investigating Officer's report. It was confirmed that Mrs Melville did wish to dispute some of the findings.

b) Findings of Fact

The Investigating Officer presented his report which concluded that Mrs Melville had breached the Parish Council's Code of Conduct by failing to declare a personal and prejudicial interest in item 8 on the agenda for the meeting of Holne Parish Council on 2 November 2005, "To discuss the council's view on whether holiday cottages should be converted by their owners, to permanent use." The interest should have been declared in view of the fact the Mrs Melville resided in a holiday barn and could have been affected financially from a decision of the planning authority to allow conversion to permanent use.

During the Investigating Officer's presentation, the Committee heard evidence from Mr Arrowsmith and Mrs Radford.

Mrs Melville disputed that she had requested that this item be included on the agenda for the Parish Council meeting. It was, however, clarified that this was not central to the issue of an interest being declared when the item was discussed.

Mrs Melville also suggested that the complaint was vexatious and malicious as she had defeated Mr Arrowsmith when gaining election to the Parish Council.

The Parish Clerk confirmed that Mrs Melville had been advised regarding her interest in this item and had been given publications from the Standards Board about declaring interests. However, Mrs Melville did not believe she had an interest to declare.

Cllr Pennington advised the Committee that:-

- (i) this was Mrs Melville's first meeting as an elected representative and she was not wholly conversant with the rules on declarations of interest;
- (ii) the parish council was only acting in an advisory capacity to the Dartmoor National Park Authority as the planning authority;

- (iii) the report lacked clarity in some areas on the exact wording used during the meeting in question. In response, the Investigating Officer advised that a verbatim report of events was not required as the issue related to the declaration of an interest.

The Chairman enquired whether there were any further points to be raised by either party. As there were not, he advised that the Committee would then retire for deliberation.

c) Committee Findings

The Chairman advised that it was the Committee's finding that Mrs Melville did have a personal and prejudicial interest in item 8 of the agenda for the meeting of Holne Parish Council on 2 November 2005. In declining the opportunity to declare the interest, the Parish Council's adopted Code of Conduct had therefore been breached.

Mrs Melville was invited to comment on the finding, but declined to do so.

The Chairman then advised that the Committee had determined that the appropriate level of sanction was censure.