

TAUNTON DEANE BOROUGH COUNCIL

STANDARDS SUB-COMMITTEE - 16 APRIL 2008

REPORT OF FORMER MONITORING OFFICER (JEREMY THORBERRY)

1 SUMMARY: HATCH BEAUCHAMP PARISH COUNCIL

- 1.1 - This report is for the information of the Sub-committee.**
- It relates to a reference made by the Standards Board for England.**
- It is being recommended that no further action be taken.**

2 BACKGROUND

- 2.1 This is an unusual reference, which relates to the actions of Councillor Neville Parsons, who is a member of Hatch Beauchamp Parish Council.
- 2.2 The incident that has led to the involvement of the Standards Board is a discussion that took place at the Parish Council at its meeting on Wednesday 5 December 2007. An item on the Parish Council Agenda related to a proposal for Affordable Housing development within the village. Councillor Parsons owns land adjacent to the proposed development site.
- 2.3 The issue of prejudicial interest was raised with members of the Council, and one Parish Councillor declared such an interest due to his home being adjacent to the proposal. Councillor Parsons did not declare such an interest in a field that is very close to the proposed site.
- 2.4 Mr Gordon Knight was present at that meeting, and formed the view that Councillor Parsons should also, indeed, have declared a prejudicial interest. Following the meeting, Mr Knight wrote to the Standards Board for England on 29 December 2007, with the intention of seeking clarification from the Board as to whether an interest would exist in a situation like this.
- 2.5 The Standards Board treated this as a formal complaint. On 10th January 2008 it wrote to the "complainant" and to Councillor Parsons to notify them of the Standards Board's involvement in the issue, and that they were considering how the complaint should be dealt with.
- 2.6 On 22nd January the Standards Board decided to refer the "complaint" for local investigation/determination. In normal circumstances, this would have resulted in a full local hearing.

- 2.7 The circumstances here, however, are not “normal” because, in the meantime, a further meeting of the Parish Council was held on 9th January 2008 - ie: before the existence of the complaint and the involvement of the Standards Board were known either by Councillor Parsons or by Taunton Deane’s Officers.
- 2.8 At that meeting, David Greig (as Parish Liaison Officer) filled a longstanding commitment to the Parish Council to provide some ethical standards training. During the meeting, the subject of the possible development site arose once again. Mr Greig was asked for his advice as to the possibility of Councillor Parsons having a personal/prejudicial interest. The advice given was that he did have such an interest, but that – as always – the decision as to whether to declare, or not, remained a personal matter for him. Councillor Parsons accepted that advice, and declared a prejudicial interest.
- 2.9 The coincidence of these events caused some initial confusion, and resulting in correspondence between Mr Knight, the Standards Board and myself. The outcome of this was that Mr Knight contacted the Standards Board saying:-
- 2.9.1 that his original letter had been one seeking advice rather than making a formal complaint
- 2.9.2 the speedy action taken on 9th January meeting by Mr Greig and by Councillor Parsons meant that he (Mr Knight) was satisfied that the issue had been properly addressed, and that he did not wish the Standards Board to pursue the “complaint” any further.
- 2.10 Given the clearly stated desire by Mr Knight to withdraw his complaint, I spoke to the Standards Board. They confirmed that the Statutory procedure currently in force meant that once a complaint had been received by the Board, it could not subsequently be treated as being withdrawn.
- 2.11 We now have the unusual situation that – at local level – we are confronted with a reference from the Standards Board concerning an issue that Mr Knight did not intend originally to be treated as a complaint.
- 2.12 Secondly, being satisfied with the actions taken by Councillor Parsons, the Parish Liaison Officer and the Parish Council, Mr Knight has attempted to withdraw his complaint, and does not wish it to be pursued.

3 SUMMARY

One must hope that with the imminent introduction of the local filter, the Statutory procedure for dealing with such situations is considerably improved, so that this Standards Committee does not have to deal with this kind of absurdity in future.

The situation is, therefore:-

- 3.1 There was no intention to make a complaint against Councillor Parsons in the first place;
- 3.2 It is at least arguable whether Councillor Parsons was breaching the Code at the December 2007 meeting of the Parish Council, when details of the development proposal were fairly limited;
- 3.3 At the next available opportunity – ie: at the 9th January 2008 Parish Council meeting – Councillor Parsons corrected the matter by declaring an interest;
- 3.4 Following that meeting, Mr Knight has made quite clear that he is satisfied with the outcome, and does not wish the matter to proceed further;
- 3.5 The Statutory procedure for the reference of such complaints does not provide the facility for a complainant to withdraw.

4 RECOMMENDATIONS

- 4.1 Given the situation described above, the Chairman of the Standards Committee and I agreed that no action be taken against Councillor Parsons in relation to his actions at the meeting of Hatch Beauchamp Parish Council of 5th December 2007.
- 4.2 In a situation such as this, I would normally have recommended that ethical standards training be offered to the Parish Council and to Councillor Parsons in particular. As described above, that training has already been carried out by Mr Greig at his regular session with the Parish Council on 9th January 2008.
- 4.3 I therefore RECOMMEND that no further action be taken on this aspect and the Standards Board for England be informed accordingly..

JEREMY THORBERRY
MONITORING OFFICER

5 March 2008 (jyt/apf)