

Present

Councillor Mrs B S Fortune
M Rigby

Councillor J N Smith

Independent Person

Mr K Bartlem

Parish Council Representative

Mrs C Artingstoll

SHP.17

CHAIRMAN

THE DECISION:

That Councillor M Rigby be elected Chairman for duration of the meeting.

(Councillor M Rigby in the Chair)

SHP.18

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no SHP.19 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

SHP.19

COMPLAINT ABOUT DISTRICT COUNCIL MEMBERS

The subject of the decision:

The Monitoring Officer presented a report into allegations that three Hambleton District Councillors had failed to comply with the provisions of the Council's Code of Member Conduct.

Alternative options considered:

None.

The reason for the decision:

Having considered the Monitoring Officer's report the Panel decided the following:-

Although the District Council paid for some of its Members to have access to the internet via broadband connections, this was not part of the District Council's Members' Allowance Scheme. It was rather the provision of a facility which enabled Members to undertake their duties. Whilst some Councils may include specific reference in their Allowance Scheme to computer/support facilities, the District Council did not. Paragraph 9.5 of the District Council's Members' Allowance Scheme did not therefore apply to the present cases.

The provision in the District Council's Code of Member Conduct relating to gifts or hospitality was aimed at gifts or hospitality provided by third parties to Councillors. It was not intended to cover allowances or other support provided by the District Council to District Councillors.

The District Council's Code of Member Conduct required the registration of "disclosable pecuniary interests". The types of interests which qualified were very closely prescribed. The receipt of support (or allowances) by a District Councillor from the District Council did not come within the definition of disclosable pecuniary interests.

THE DECISION:

It follows from the above that:-

- (1) The allegation that the District Councillors brought the Authority or their office into disrepute is not upheld.
- (2) The allegation that the District Councillors failed to register a gift or hospitality is not upheld.
- (3) The allegation that the District Councillors failed to register a disclosable pecuniary interest is not upheld.

The meeting closed at 11.15am

Chairman of the Panel