

# DECISION NOTICE: NO FURTHER ACTION

Reference SEC037

## Complaint

On the 2<sup>nd</sup> November 2011, the Standards and Ethics (Local Assessment) Sub Committee of this authority considered a complaint from Mr Greg Jones concerning the alleged conduct of Parish Councillor David Hadley of Beaudesert and Henley Joint Parish Council (JPC) and District Councillor Stephen Thirlwell. We have set out a general summary of the complaint below:

It is alleged that Parish Councillor Hadley used his position as a councillor to improperly influence the JPC to object to a planning application made by the complainant. It is understood that Councillor Hadley is a neighbour of the complainant and was concerned about the impact of the proposals on his own property.

It was further alleged that Councillor Thirlwell had objected to the planning application in his capacity as ward member and his comments pursued an objection to the complainant's proposal without fairly representing the complainant's view. It was suggested by the complainant that Councillor Thirlwell was therefore "overtly biased."

## Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the sub-committee of the Standards Committee decided that no action should be taken on the allegation.

## Reasons for decision

No information was provided by the complainant to demonstrate how Councillor Hadley may have improperly influenced the Parish Council. Moreover, the Sub Committee noted from the minutes of the Parish Council that Councillor Hadley had declared an interest in the item of business and taken no part in it. The most that could be said from the evidence was that Councillor Hadley should also have left the room. However, that was no more than a technical breach of the code under the circumstances.

In relation to Councillor Thirlwell the Sub Committee determined that no evidence had been provided to suggest that he may have been improperly influenced in the judgement that he expressed.

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and the clerk to the joint parish council.

## Right of review

***At the written request of the complainant, the standards committee can review and change a decision not to refer an allegation for investigation or other action. A different sub-committee to that involved in the original decision will undertake the review.***

***We must receive the complainant's written request within 30 calendar days from the date of this notice, explaining in detail on what grounds***

*the decision should be reviewed.*

*If we receive a request for a review, we will deal with it within a maximum of three months of receipt. We will write to all the parties mentioned above, notifying them of the outcome of any such review.*

**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 additional assistance, in the first instance please contact the Assistant to the Monitoring Officer on 01789 260603.

**Signed** ..... **Date** .....

**Monitoring Officer on behalf of the Standards and Ethics  
(Local Assessment) Sub Committee**