

## Case Summary - Blackpool Council

---

**Case no.** SBE-07899-MRSE4  
**Member(s):** Councillor A Lee  
**Date received:** 04 Nov 2009  
**Date completed:** 07 Jan 2010

### Allegation:

---

### Standards Board outcome:

---

The ethical standards officer found that the member did not breach the Code of Conduct

### Case Summary

---

The complainants alleged that Councillor Lee failed to declare a personal or a prejudicial interest at a development control committee meeting on 8 June 2009 during consideration of a planning application by Kensington Developments Limited. The application was to build housing in the Marton Moss area of Blackpool.

The complainant alleged that Councillor Lee brought his office or authority into disrepute when he signed a letter stating that he did not know about two donations which had been made to Blackpool South Conservative Association by Kensington Developments. The complainant alleged that Kensington Developments had made the donations to the general election fighting fund for Councillor Ron Bell, who is the Conservative Party's prospective parliamentary candidate for Blackpool South. The complainant alleged that Councillor Lee knew about the two donations when he signed the letter, because his wife was the treasurer for Blackpool South Conservative Association and because Councillor Lee had received one of the cheques which he had passed to his wife.

On 22 July 2008, Kensington Developments submitted an outline planning application for the large scale development of parts of the Marton Moss area of Blackpool. On 14 May 2009 they appealed to the planning inspectorate against the council's non-determination of that application. On 3 June 2009, Kensington Developments submitted a further planning application to the council.

On 8 June 2009, the Council's development control committee considered the first planning application because of the appeal. The committee was asked to say whether the application would have been rejected or approved if it had come before the committee for determination. Councillor Lee was at the meeting and did not declare a personal or prejudicial interest in the application.

Councillor Lee is a member of Blackpool South Conservative Association. The Association maintains a "fighting fund" account. Donations for the prospective parliamentary candidate were put in the fighting fund and were for the exclusive use of the parliamentary candidate's election expenses. No payments are made from the fighting fund to ward members or other candidates.

The ethical standards officer considered that the donations do not amount to an interest that Councillor Lee was required to register. The development control meeting was not considering business which related to or was likely to affect the Association. The business under consideration was an application by Kensington Developments. Kensington Developments would be affected by any decision made by the committee but not the Conservative Association.

Councillor Lee would have had a personal interest if the decision could have affected his well-being or financial position or that of a member of his family or someone else with whom Councillor Lee has a close association, more than that of the majority of the Council's ratepayers, taxpayers and inhabitants. The ethical standards officer found no evidence of this.

In the absence of a personal interest, it is not possible for Councillor Lee to have had a prejudicial interest.

The ethical standards officer therefore considered that Councillor Lee did not fail to comply with paragraph 12 of the Code of Conduct in respect of his conduct at the development control meeting.

The Conservative Group members of Blackpool Council met on 17 September 2009 and 21 September 2009. On 17 September, Councillor Peter Callow, the Conservative Group Leader, asked the councillors present if they knew about two political donations to Blackpool South Conservative Association. At the end of the meeting on 21 September, a document was passed around the group members to sign. It stated:

"We the undersigned wish it to be known that we did not know that the two donations given to Blackpool South Conservative Association were from Kensington Developments Ltd"

No council officers were present at either meeting and no present or future council business was discussed. The title 'Councillor' is not used in the document. Named individuals signed the document. Councillor Lee has printed his name and signed.

Group members who were not at the 21 September group meeting were given the opportunity to sign the document after the full council meeting on 23 September. The document was not discussed in the full council meeting on 23 September 2009.

The effect of paragraph 5 of the Code of Conduct is that a member must not bring his office or authority into disrepute while acting in his official capacity. At present the Code does not apply to members conduct in their private capacity.

The meetings on 17 and 21 September 2009 were political meetings. There is no evidence which suggested that the document was signed as part of council business. Neither was the document considered as council business at the full council meeting on 23 September.

Those who signed the document were not acting, claiming to act or giving the impression that they were acting as representatives of their authority when they signed the document. Councillor Lee identified himself with his party and political ward. In common with the other members he wished to "clear his name" with the electorate in relation to the donations. He was not describing his involvement in any actions the political group had taken as councillors. The local conservative association is not the political group to which Councillor Lee belongs at the council.

The ethical standards officer considered that in signing the document Councillor Lee was not acting as a councillor and, therefore, was not covered by the Code. Therefore, whether or not he knew of the donations is not an issue about which she needs to form a view.

## Relevant paragraphs of the Code of Conduct

---

The allegations in this case relate to paragraphs 5, 9, and 12 of the Code of Conduct.

Paragraph 5 states that "you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".

Paragraph 9 states that "...where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest...".

Paragraph 12 states that "...where you have a prejudicial interest in any business of your authority you must...withdraw from the room or chamber where a meeting considering the business is being held....".

## Case Summary - Blackpool Council

---

**Case no.** SBE-07588-R18QK  
**Member(s):** Councillor J Houldsworth  
**Date received:** 09 Oct 2009  
**Date completed:** 07 Jan 2010

### Allegation:

---

The member brought his office or authority into disrepute, and failed to declare a personal and a prejudicial interest.

### Standards Board outcome:

---

The ethical standards officer found that the member did not breach the Code of Conduct.

### Case Summary

---

The complainants alleged that Councillor Houldsworth failed to declare a personal or a prejudicial interest at a development control committee meeting on 8 June 2009 during consideration of a planning application by Kensington Developments Limited. The application was to build housing in the Marton Moss area of Blackpool. The complainants alleged that by the date of the meeting on 8 June 2009, Councillor Houldsworth knew that Kensington Developments had made a political donation of £5,000 to the Blackpool South Conservative Association, of which he is a member.

On 22 July 2008, Kensington Developments submitted an outline planning application for the large scale development of parts of the Marton Moss area of Blackpool. On 14 May 2009 they appealed to the planning inspectorate against the council's non-determination of that application. On 3 June 2009, Kensington Developments submitted a further planning application to the council.

On 8 June 2009, the Council's development control committee considered the first planning application because of the appeal. The committee was asked to say whether the application would have been rejected or approved if it had come before the committee for determination. Councillor Houldsworth was at the meeting and did not declare a personal or prejudicial interest in the application.

Councillor Houldsworth is a member of Blackpool South Conservative Association. The Association maintains a "fighting fund" account. Donations for the prospective parliamentary candidate were put in the fighting fund and were for the exclusive use of the parliamentary candidate's election expenses. No payments are made from the fighting fund to ward members or other candidates.

On 19 May 2008, Kensington Developments donated £5,000 made payable to Blackpool South Conservative Association. They sent the cheque to Councillor Ron Bell, prospective Conservative Party parliamentary candidate for the Blackpool South constituency. He presented it at a meeting of the Association on 20 May 2008 as a donation for his campaign. The donation was paid into the fighting fund account. Councillor Houldsworth remembered Councillor Bell presenting the £5,000 donation at the 20 May 2008 meeting. He said that he did not know who the donor was.

The Conservative Group members met on 17 September 2009 and 21 September 2009. No council officers were present at either meeting, and no present or future council business was discussed. On 17 September,

Councillor Peter Callow, the Conservative Group Leader, asked the councillors present if they knew about two political donations to Blackpool South Conservative Association. At the end of the meeting on 21 September, a document was passed around the group members to sign. It stated:

"We the undersigned wish it to be known that we did not know that the two donations given to Blackpool South Conservative Association were from Kensington Developments Ltd".

Councillor Houldsworth did not sign the document. He said that he was not aware that Kensington Developments was the donor until 11 August 2009 at a political group meeting. He said that he did not know the source of the donation when he participated in the development control committee meeting on 8 June 2009.

The ethical standards officer found that the donations were paid into the Association's fighting fund account for the use of the prospective parliamentary candidate. There is no evidence that these donations were available to any ward candidates, ward members or other members of the Association. The ethical standards officer therefore considered that it was not necessary to resolve any conflicts in the evidence about whether Councillor Houldsworth was aware of source of the political donation when he participated in the development control committee meeting on 8 June 2009.

The ethical standards officer considered that the donations do not amount to an interest that Councillor Houldsworth was required to register. The development control meeting was not considering business which related to or was likely to affect the Association. The business under consideration was an application by Kensington Developments. Kensington Developments would be affected by any decision made by the committee but not the Conservative Association.

Councillor Houldsworth would have had a personal interest if the decision could have affected his well-being or financial position or that of a member of his family or someone else with whom Councillor Houldsworth has a close association, more than that of the majority of the Council's ratepayers, taxpayers and inhabitants. The ethical standards officer found no evidence of this.

In the absence of a personal interest, it is not possible for Councillor Houldsworth to have had a prejudicial interest.

The ethical standards officer therefore considered that Councillor Houldsworth did not fail to comply with paragraph 12 of the Code of Conduct in respect of his conduct at the development control meeting.

## Relevant paragraphs of the Code of Conduct

---

The allegations in this case relate to paragraphs 5, 9, and 12 of the Code of Conduct.

Paragraph 5 states that "you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".

Paragraph 9 states that "...where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest...".

Paragraph 12 states that "...where you have a prejudicial interest in any business of your authority you must...withdraw from the room or chamber where a meeting considering the business is being held....".

 Print this page

**Allegation:**

---

The member brought his office or authority into disrepute.

**Standards Board outcome:**

---

The ethical standards officer found that the member did not breach the Code of Conduct.

**Case Summary**

---

The complainant alleged that Councillor Fowler brought his office or authority into disrepute when he signed a letter stating that he did not know about two donations which had been made to Blackpool South Conservative Association by Kensington Developments Limited when he did. The complainant alleged that Kensington Developments had made the donations to the general election fighting fund for Councillor Ron Bell, who is the Conservative Party's prospective parliamentary candidate for Blackpool South. The complainant alleged that Councillor Fowler knew about the two donations when he signed the letter, because he was the proposed election agent for Councillor Ron Bell, and therefore responsible for donations to Councillor Bell's campaign.

The Conservative Group members of Blackpool Council met on 17 September 2009 and 21 September 2009. On 17 September, Councillor Peter Callow, the Conservative Group Leader, asked the councillors present if they knew about two political donations to Blackpool South Conservative Association. At the end of the meeting on 21 September, a document was passed around the group members to sign. It stated:

"We the undersigned wish it to be known that we did not know that the two donations given to Blackpool South Conservative Association were from Kensington Developments Ltd"

No council officers were present at either meeting and no present or future council business was discussed. The title 'Councillor' is not used in the document. Named individuals signed the document. Councillor Fowler has printed his name and signed.

Group members who were not at the 21 September group meeting were given the opportunity to sign the document after the full council meeting on 23 September. The document was not discussed in the full council meeting on 23 September 2009.

Councillor Fowler took the document, without any covering letter, to the Blackpool Evening Gazette newspaper, on instructions from Councillor Callow. The signed document was not passed to the council.

In effect, paragraph 5 of the Code of Conduct states that a member must not bring his office or authority into disrepute while acting in his official capacity. At present the Code does not apply to members conduct in their private capacity.

The meetings on 17 and 21 September 2009 were political meetings. There is no evidence that anything was

put forward by way of additional statement, or covering letter, which suggested that the document signed was about council business. Neither was the document considered as council business at the full council meeting on 23 September.

Those who signed the document were not acting, claiming to act or giving the impression that they were acting as representatives of their authority when they signed the document. Councillor Fowler identified himself with his party and political ward. In common with the other members he wished to "clear his name" with the electorate in relation to the donations. He was not describing his involvement in any actions the political group had taken as councillors. The local conservative association is not the political group to which Councillor Fowler belongs at the council.

The ethical standards officer found no evidence that Councillor Fowler was acting as a councillor or performing the functions of his authority when he signed the document. Neither is there any link between Councillor Fowler's conduct and the resources of the council.

The ethical standards officer considered that in signing the document Councillor Lee was not acting as a councillor and, therefore, was not covered by the Code. Therefore, whether or not he knew of the donations is not an issue about which she needs to form a view.

## Relevant paragraphs of the Code of Conduct

---

The allegations in this case relate to paragraph 5 of the Code of Conduct.

Paragraph 5 states that "you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".

## Case Summary - West Felton Parish Council

---

**Case no.** SBE-05848-UDMR0  
**Member(s):** Councillor Peter Brown  
**Date received:** 08 May 2009  
**Date completed:** 19 Nov 2009

### Allegation:

---

The member failed to treat others with respect, bullied other people, and brought his office or authority into disrepute.

### Standards Board outcome:

---

The ethical standards officer referred the matter to Shropshire Council's standards committee

### Case Summary


---

The complainants alleged that Councillor Peter Brown bullied the West Felton parish clerk through overbearing supervision, making threats or comments about job security, and undermined the clerk's position by overloading him with queries and by constant criticism of his work. The complainants also alleged that Councillor Brown brought his office and the authority into disrepute by referring six councillors to the police and that he made untrue statements in a letter addressed to all councillors, the clerk and members of the public. They also alleged that Councillor Brown showed a lack of respect to others including in a note to a fellow member of the parish council. In addition, they alleged that Councillor Brown subjected the locum clerk to bullying and intimidation by sending him numerous letters, showing a lack of respect and common courtesy, continually challenged the locum clerk's advice to the council by emails, and in council meetings, insinuated that the clerk lied to the council on two occasions, and that he added words to an official council notice without authorisation. The ethical standards officer did not consider that Councillor Brown failed to treat the locum clerk with respect or that he had bullied him contrary to paragraphs 3(1) and 3(2)(b) of the Code of Conduct. In relation to the other matters, the ethical standards officer referred them to the standards committee of Shropshire Council for determination. For more information on this case, please contact the monitoring officer of Shropshire Council at [www.shropshire.gov.uk](http://www.shropshire.gov.uk)

### Relevant paragraphs of the Code of Conduct

---

Paragraphs 3(1), 3(2)(b) and 5 of the Code of Conduct.

 Print this page