

SOMERBY PARISH COUNCIL

96 High Street Somerby Melton Mowbray
Leicestershire LE14 2QB
Tel/fax: 01664 454529
E-Mail: somerbyparish@btconnect.com

*Pickwell with Leesthorpe
Burrough-on-the-Hill
Somerby*

Angela Tebbutt,
Monitoring Officer
Melton Borough Council
Council Offices
Parkside
Station Approach
Burton Street
Melton Mowbray
LE13 1GH

4 March 2013

Dear Sirs,

Cllr Mark Barnes – Code of Conduct complaint

On 18 October 2012, following representations from Somerby Parish Council and local residents Cllr Barnes was invited to address the Development Committee in respect of planning application no.11/00913/FUL. Cllr Barnes in his capacity as Ward Councillor was last to address the meeting in respect of the application and did not declare any private interests that related to his public duties.

Following the address by Cllr Barnes in support of the application the committee voted by a narrow margin to approve. It has now come to light that Cllr Barnes was at the time preparing his own similar planning application for a large wind turbine in this parish. This was not disclosed to the meeting or to Somerby Parish Council.

It is the opinion of Somerby Parish Council that Cllr Barnes should have declared an interest prior to addressing the meeting. Accordingly Cllr Barnes actions would appear to be in contravention of principles 1, 5 & 6 of the Melton Borough Council Code of Conduct. In addition Cllr Barnes would also appear to be in contravention of part 3 of the Code of Conduct and particularly note 12 that requires members with disclosable interests not to participate in any meeting of the authority unless the interest is disclosed. Somerby Parish Council believe that Cllr Barnes had ample opportunity to disclose an interest and that this non-disclosure could have had a material impact on the outcome of the decision by the Development Committee. Somerby Parish Council consider that the local precedent established by the approval of the application 11/00913/FUL could be seen to be to the benefit of Cllr Barnes and his own planning application.

Yours faithfully

David Vurley
Chairman

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List of supporting documents

1. Complaint form
2. Letter from Pure Energy dated 28 September 2012
3. Copy of entry from Melton Borough Council web site dated 2 October 2012
4. Copy of minutes from meeting of Melton Mowbray Development Committee

MEMBER CONDUCT: COMPLAINT FORM

Your details

1. Please provide us with your name and contact details

Title:	SOMERBY PARISH COUNCIL.
First name:	DAVID
Last name:	VURLEY
Address:	96 HIGH STREET SOMERBY
Daytime telephone:	01664 454529.
Evening telephone:	
Mobile telephone:	
Email address:	SOMERBY PARISH@BTCONNECT.COM

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete Section 5 of this form.

2. Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- Local authority monitoring officer
- Other council officer or authority employee
- Other ()

Making your complaint

3. Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
MR	MARK	BARNES	MELTON MOWBRAY

4. Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

PLEASE SEE ATTACHED LETTER &
DOCUMENTS.

Only complete this next section if you are requesting that your identity is kept confidential

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint and the detail of the complaint. We are unlikely to withhold your identity or the details of your complaint unless there is good reason to do so.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Monitoring Officer/ Governance Committee will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Additional Help

5. Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

We can also help if English is not your first language by providing translation services.

If you need any support in completing this form, please let us know as soon as possible.

Should you have any queries or questions regarding the completion of this form please contact Angela Tebbutt, Monitoring Officer on 01664 502461.

Signed

Print DAVID VURLEY

Date 5 MARCH 2013