

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

STANDARDS COMMITTEE – PANEL HEARING

**Minutes of a Meeting of the Standards Committee held on
Wednesday 15 December 2010 at 9.30 am in the Heritage Room,
Town Hall, Saturday Market Place, King's Lynn**

PRESENT:

Mr M Sale (Independent Member and Chairman)
Mr D Shepperson (Parish Member) and Councillor A Tyler

Also in attendance: Teresa Campion (Investigating Officer)
Wendy Vincent (Democratic Services Officer)

**TO CONSIDER THE LOCAL INVESTIGATION AS TO AN ALLEGATION
AGAINST PARISH COUNCILLOR MR JOHN HOUSTON OF DERSINGHAM
PARISH COUNCIL (23/10)**

The Chairman welcomed everyone to the meeting and reminded those present that the purpose of the Panel Hearing was to determine the above allegation, following a request for an adjournment from Mr Houston's solicitor at the Panel Hearing held on 11 November 2010.

Mr John Houston nor his solicitor were present.

The Panel proceeded with the Hearing in the absence of Mr Houston or his solicitor.

The Chairman invited the Investigating Officer to outline the current position in relation to the allegation against Dersingham Parish Councillor, Mr John Houston.

The Investigating Officer advised that Councillor Houston had tendered his resignation as a Parish Councillor of Dersingham Parish Council. His solicitor had presented a copy of the letter, which had been delivered, to her on 10 November 2010 at the Panel Hearing on 11 November 2010.

The Investigating Officer advised the Panel that upon the advice of the Monitoring Officer, copies of the resignation letter had been scanned and forwarded to the Clerk of Dersingham Parish Council. An exchange of correspondence between the Borough Council, Mr Houston's solicitor and the Parish Council had taken place since the date of the Hearing on 11 November 2010.

The Panel were advised that the Investigating Officer had contacted Mr Houston's solicitor, requesting confirmation from Mr Houston that he had in fact delivered a letter of resignation to Dersingham Parish Council, by 1 pm on 14 December 2010. To date no response had been received.

The Chairman invited the Panel to ask any questions of the Investigating Officer.

In response to questions from the Panel, the Investigating Officer advised that Councillor Houston's letter of resignation addressed to the Council's Monitoring Officer had been scanned and forwarded to Dersingham Parish Council.

Following further questions, the Investigating Officer asked the Panel if it would be useful to adjourn the Hearing for a short period to enable her to telephone Mr Houston's solicitor, to ascertain if he had delivered a formal letter of resignation to Dersingham Parish Council. She further added that the letter of resignation addressed to the Monitoring Officer was signed "Ex Councillor J Houston." The Investigating Officer advised the Panel that if they determined a breach of the Code of Conduct had occurred, then no sanction could be imposed if a Councillor had resigned.

The Chairman stated that it was not clear when the resignation of a Parish Councillor became effective, and whether there was a requirement for a formal letter of resignation to be sent to the Monitoring Officer and to the Clerk of the Parish Council. No confirmation of Mr Houston's resignation had been received from Dersingham Parish Council.

In response, the Investigating Officer advised that it was assumed that when the letter of resignation was received by the relevant authorities it became effective as soon as notified. A relevant section within each Parish Council's Standing Orders would set out the correct procedure to follow regarding resignation from the Parish Council.

The Panel adjourned at 9.50 am to enable the Investigation Officer to telephone Mr Houston's solicitor.

The Panel reconvened at 10.10 am.

The Investigating Officer advised that Mr Houston's solicitor was not available, but that she had spoken to her secretary who provided the following update:

Mr Houston's resignation formed an Agenda item on the meeting of the Dersingham Parish Council on 12 December 2010, so it could be assumed that a letter of resignation had been received. However, it was not possible to determine if the letter of resignation was an original letter from Mr Houston, or a copy forwarded to the Parish Council by the Borough Council's Monitoring Officer. Mr Houston's solicitor would contact the Investigating Officer on her return to the office on the afternoon of 15 December 2010.

RESOLVED: That the investigation of complaint 23/10 against Dersingham Parish Councillor, Mr John Houston be discontinued.

The meeting closed at 10.15 am