STANDARDS SUB-COMMITTEE – 10TH OCTOBER 2007

Findings of Fact

We accept the agreed amendments 2.1 – 2.3 in the ESO's report as identified by Councillor Humfrey and accepted by the ESO.

1. This matter does relate to meeting of 16th November 2006 but it is relevant to consider issues that led to that meeting.

2. We hear and appreciate Councillor Humfrey's passion and work for the community in Desborough.

3. We find that Councillor Humfrey lives very close to the Lawrence factory site and has views into the site.

4. We find that Councillor Humfrey did object to the 21 Harborough Road application as an affected neighbour in March 2005.

5. The objections of Councillor Humfrey as an affected neighbour and the objections of Desborough Civic Society, as shown in the minutes of the Planning Sub Committee of 26th April 2005 are almost identical (pages 29 & 30 Simon Kingston report). We note these relate to 21/21A Harborough Road.

6. Councillor Humfrey has already declared a personal interest on 15th October 2003 at Kettering Borough Council Executive and on 22nd September 2004 a prejudicial interest at Kettering Borough Council Executive and these are both in respect of the Lawrence site.

7. Councillor Humfrey did remain in the room when the Lawrence factory site was discussed on 16th November 2006 notwithstanding the fact that she had previously declared a prejudicial interest at Kettering Borough Council Executive on 22nd September 2004 on the same site.

8. Councillor Dearing indicates that Councillor Humfrey withdrew on 16th November 2006. The minutes do not show this and Councillor Humfrey herself said she remained in the meeting. We find that Councillor Humfrey did remain in the meeting.

9. Based on the minutes of the meeting of Desborough Town Council on 16th November 2006 and the evidence of officers interviewed at the meeting, we find that Councillor Humfrey did not declare an interest on 16th November 2006 in relation to Lawrence factory site despite being advised frequently in the past by the Monitoring Officer at Kettering Borough Council so to do.

Findings of Breach

1. We do not believe that Councillor Humfrey understands the distinction between personal and prejudicial interests and how to apply this, despite advice from Kettering Borough Council's Monitoring Officer on frequent occasions and offer of meetings.

2. We find there to have been a failure on Councillor Humfrey to regard herself as having a personal interest on 16th November 2006 contrary to paragraph 7.

3. We find there to have been a failure to declare a personal interest on 16th November 2006 contrary to paragraph 8.

4. No evidence has been presented to the sub-committee of any dispensation being granted to Councillor Humfrey.

5. We find that Councillor Humfrey's interest is not only personal but prejudicial (a point acknowledged by Councillor Humfrey on 22nd September 2004) and therefore there is a failure by Councillor Humfrey to regard herself as having a prejudicial interest on 16th November 2006.

6. We find a failure to declare a prejudicial interest on 16th November 2006 in relation to the Lawrence factory site and failure to withdraw from that meeting.

7. We find that Councillor Humfrey failed to register an interest in respect of property she owned in Desborough, namely 25 Harborough Road on 10th May 2003 and therefore breaches paragraph 12(f).

Statement

The Standards Sub-Committee suspends Councillor Humfrey for three months from today. This will end following two actions.

(1) Conciliation with Kettering Borough Council's Monitoring Officer involving an independent person – to be identified.

(2) Further one to one training following conciliation to be carried out by Kettering Borough Council's Monitoring Officer with Councillor Humfrey and to include the Clerk of Deborough Town Council.

Further Recommendation

(1) That Councillor Humfrey exercise caution in relation to any statements regarding the Lawrence factory site.

(2) Desborough Town Council must review their procedures in relation to minute taking.

(3) In relation to breach of paragraph 12(f) we consider this a simple oversight and take no further action.

Signed: .....

Date: 10/10/2007