

PRE-HEARING SUMMARY CHECKLIST

Name of authority	Watton Town Council
Name of member concerned	Councillor Paul McCarthy
Name of person who made the original allegation (unless there is good reason to keep this confidential)	Mr. David Cram
Case reference numbers of: Principal Authority The Standards Board for England	STA.3.1.25 SBE 17531.07
Name of Monitoring Officer or other person who will advise the committee	Mr. J.S. Chinnery
Name of the Ethical Standards Officer who referred the matter to the Standards Committee	Jennifer Rogers
Date the pre-hearing summary was produced	1 November 2007
Hearing: Date Time Place	14 November 2007 2.15 p.m. Norfolk Room, Conference Suite, Breckland Council, Elizabeth House, Walpole Loke, Dereham NR19 1EE
Summary of the allegation	That Councillor Paul McCarthy, a member of Watton Town Council, failed to declare a prejudicial interest and withdraw from the chamber during the consideration of his planning application on 30 January 2007. It is further alleged that Councillor McCarthy voted against Mr. Cram's planning application (ref 3PL/2007/0053/O) and then used his casting vote as Chair of the Council's planning committee to ensure that the Council objected to it.
Section(s) of the Code of Conduct which are relevant to the determination	Paragraphs 10(a) and 10(b)

Findings of fact of the ESO's report that are agreed	The only comments received are those attached at Form A (appendices pages 1-2)
Findings of the fact in the ESO's report that are not agreed	See Form A attached (appendices pages 1-2)
Member: Attending Be represented	Yes No
Ethical Standards Officer Attending Be represented	Natalie Birtle
Names of witness who be attending to give evidence and who for	None Notified
Outline of the proposed procedure for the hearing	<p>Welcome by the Chairman of Breckland Council's Standards Committee.</p> <p>Introduction of all present.</p> <p>Committee to consider whether or not there are any significant disagreements about the finding of facts contained in the Ethical Standards Officer's report.</p> <p>Following consideration of the report and any other information supplied by the member (if present), witnesses and the Ethical Standards Officer, the Committee will move to another room to consider the representations and evidence and to determine if the member has failed to follow the Code of Conduct.</p> <p>Committee will return to the room and the Chairman will announce the Committee's decision as to whether or not the member has failed to follow the Code of Conduct.</p> <p>If a failure has been determined, the Committee will consider any verbal or written representations from the Ethical Standards Officer and the member as to whether or not the Committee should set a penalty and what form any penalty should take.</p> <p>The Committee will then move to another room to consider whether or not to impose a penalty and, if so, what it should be.</p> <p>Committee will return to the room and the Chairman will announce the Committee's decision.</p>