

Case study B

Amy Twine is the honorary Treasurer of “Keep Stour Green” and describes herself as an ‘eco-activist’. She is well known locally for her opposition to the development of open spaces. Ms Twine stands for election to the Stour District Council and her published manifesto includes a commitment **“TO FIGHT FOR THE OPEN SPACES OF STOUR”** and in particular to the continued protection of The Sward, an area of publicly accessible green space.

She is elected to the District Council and promptly resigns her honorary treasurership. Much to her pleasure she is appointed to the planning committee but due to illness is unable to attend the new member training organised by committee services.

At her first planning committee meeting, the second agenda item is for the development of a spectator stand and floodlights for the football pitch located on The Sward.

The planning officer presents his report to committee which recommends refusal of the application on grounds of visual impact. George Watson, the President of the Stour Football Club is allowed to address the committee for three minutes. During this presentation Councillor Twine is observed to lean back in her chair, to adopt a bored expression and to sigh audibly at a number of points made. She says nothing during the debate on the application but votes for refusal. The planning committee decides 9:1 in favour of the grant of permission.

What facts are relevant in deciding whether Councillor Twine may have predetermined the application?

Has Councillor Twine breached the Code?

Would your conclusion be different if:

- (a) **Councillor Twine was still the Honorary Treasurer of ‘Keep Stour Green’?**
- (b) **Councillor Twine contributed to the debate by saying – “Greenfield land is precious, once developed it is lost for ever. We should do all we can to preserve it”?**
- (c) **Prior to the meeting, Councillor Twine had telephoned the County Council’s Open Spaces’ Officer encouraging him to attend the meeting to oppose the application.**