

**Minutes of a meeting of the Mid Sussex District Council  
Standards Committee held on Wednesday 1<sup>st</sup> April 2009  
From 7.00pm to 8.07pm**

**Present:-** Sir Roger Sands (Chairman)  
David Brown (Vice-Chairman)

Ian Church	Cllr Jacqui Landriani	Trevor Swainson
Town Cllr Richard Goddard	Cllr Heather Ross*	Parish Cllr Pat Webster
Cllr Gina Field	Parish Cllr Patrick Shanahan	Parish Cllr Jenny Forbes*
Cllr Sue Hatton	Cllr Christopher Snowling	(Substitute Parish Member)

\* Absent

**25. SUBSTITUTES**

No substitutions were notified.

**26. APOLOGIES**

Apologies were received from Councillor Mrs. Heather Ross and Parish Councillor Jenny Forbes.

**27. MINUTES**

Subject to apologies for absence from Councillor Snowling being added, the Minutes of the meeting of the Committee held on the 20<sup>th</sup> January 2009 were approved as a correct record and signed by the Chairman.

**28. CHAIRMAN'S REPORT ON SOUTH AREA INDEPENDENT MEMBERS' FORUM  
18<sup>TH</sup> MARCH 2009**

The Chairman introduced a report from the meeting of the Independent Members Forum on 18<sup>th</sup> March 2009. He drew attention to paragraph 2(a) of the report and asked whether records were kept of training offered to Members and undertaken by them. It was confirmed that such records were kept. It was noted that training had also been offered to Town and Parish Councils, but that no definitive record of training undertaken was held by the District Council, as most Towns and Parishes had arranged their own training sessions. The Clerk of each of these Councils should however have a record of the training.

It was confirmed that the Council would be writing to Town and Parish Clerks to ask about their training needs on Code of Conduct matters in the forthcoming year. Appropriate support would be offered to the Councils in arranging necessary training.

It was noted that at other authorities Independent Members of the Standards Committee had undertaken visits to Town and Parish Councils to explain their role on the Committee and to explain how the Standards Committee undertakes its work. It was agreed that this should be offered to the Towns and Parishes in Mid Sussex. It was further agreed that an agreed presentation should be worked up by the Independent Members in conjunction with the Monitoring Officer, to ensure consistency when presentations are made to Towns and Parishes.

In relation to reports from the Committee to the District Council, the Monitoring Officer advised that a report would be going to the next Council meeting recommending that the Chairman of the Standards Committee be invited to attend a Council meeting up to four times per year to report on matters from the Committee. It would not be a requirement to attend four times per year, but there would be the opportunity to do so.

**29. THE CODE OF CONDUCT, PREDETERMINATION, BIAS, THE OMBUDSMAN, THE STANDARDS BOARD AND THE HIGH COURT**

The Committee received a report introduced by the Monitoring Officer. It provided information to the Committee on the issues of predetermination and bias and drew attention to a recent case at Harrogate Borough Council concerning failure to declare a personal and prejudicial interest in relation to a planning matter. The Committee was asked to consider whether any advice needed to be provided to Members on issues arising from the case.

Members considered the facts as set out in the report and were of the view that the Members involved in that case had acted in a surprising manner and that such circumstances were unlikely to arise in relation to planning matters at Mid Sussex District Council. It was noted that full training was given to all Members who sat on Planning Committees at the District Council and issues of predetermination and bias were fully covered in the training.

Members considered that the public sometimes had a perception that Members may have an interest in a matter where none in fact existed. Such perceptions were hard to overcome and it was important for Members to be seen to act fairly at planning meetings.

The Monitoring Officer said that Members who wished to pursue a high profile community leadership role may find it difficult to be able to serve on planning or licensing committees as well. There was likely to be a perception of predetermination or bias when dealing with matters within their community.

The issue of calling matters in to a planning committee was raised. If a Member called a matter in to a planning committee, there was an expectation from the public that the Member would support a particular view. The Monitoring Officer responded that there had not been any issues with Members calling in matters in recent times. Members were generally careful to avoid expressing any opinion when calling a matter in. It was important to remember that the purpose of calling in was to allow committee consideration of a matter, not to promote any particular interest.

The Committee considered that adequate guidance had been given to Members and no current particular problems had been identified. It was agreed that further guidance for Members was not required at this time.

**30. NEXT MEETING OF THE COMMITTEE**

It was noted that the next meeting was due to be held on 27<sup>th</sup> May 2009. Members felt that it would be useful to have a brief report setting out a summary of the cases dealt with by Panels during 2008/09. It was agreed that such a report would be provided and that it would not contain details of the Members concerned but an outline of the type of case and the decision taken by the Panels concerned.

The issue of the Monitoring Officer being asked to prepare guidance for Parish Councils was raised. It was agreed however that it would be difficult to provide comprehensive guidance as circumstances varied so widely between parishes. It was agreed therefore that this would not be pursued at the present time.

Chairman