

**Minutes of a meeting of the Mid Sussex District Council
Standards Committee held on Wednesday, 17th June 2014
from 7:00 pm to 7:20 p.m.**

Present:

Town Cllr Christopher Ash-
Edwards*
Cllr Liz Bennett
Parish Cllr William Blunden

Cllr Jack Callaghan*
Parish Cllr Duncan
Cunningham
Parish Cllr Jenny Forbes

Cllr Denis Jones
Cllr John O'Brien*
Cllr Gordon Marples
Cllr Simon McMenemy

* Absent

Also present: Sir Roger Sands, Independent Person on Standards Matters.

1. SUBSTITUTES

In accordance with Council Procedure Rule 4 – Substitutes at Meetings of Committees, Councillor Phillip Coote replaced Councillor Jack Callaghan for the duration of the meeting.

2. ELECTION OF CHAIRMAN

Tom Clark, Solicitor to the Council, asked for nominations for Chairman.

Parish Councillor William Blunden nominated Councillor Denis Jones and this was seconded by Parish Councillor Duncan Cunningham.

RESOLVED

That Councillor Denis Jones be elected Chairman of the Committee for the 2014/15 Council year.

Councillor Denis Jones – in the Chair

3. APPOINTMENT OF VICE-CHAIRMAN

The Chairman nominated Town Councillor Christopher Ash-Edwards as Vice-Chairman and this was seconded by Parish Councillor Jenny Forbes.

RESOLVED

That Town Councillor Christopher Ash-Edwards be appointed Vice-Chairman of the Committee for the 2014/15 Council year.

4. APOLOGIES

Apologies were received from Councillor Callaghan, Town Councillor Ash-Edwards and Mr Gerard Irwin, Independent Person on Standards Matters.

5. DECLARATIONS OF INTEREST

None.

6. MINUTES

The Minutes of the meeting of the Committee held on the 19th February 2014 were approved as a correct record and signed by the Chairman.

7. REVIEW OF THE MID SUSSEX CODE OF CONDUCT

The Solicitor to the Council introduced the report and outlined the main differences between Mid Sussex District Council's and Swindon Borough Council's Codes of Conduct, highlighting the criminal penalties and General Principles of Public Life (the Principles). He asked Members to endorse MSDC's existing Code and suggest any amendments to make the Code clearer, particularly for new Members following the election in 2015.

One Member observed that there could be greater clarity in the differences between personal, prejudicial and pecuniary interests and that the consequences for not following the Code or participating in a meeting when an interest had been declared could be made clearer. She suggested that the Principles should be included in the Code and asked whether an explanation on dispensation could also be included. She also questioned whether the Code was too long.

In response to another Member's question on the consequences of not following the Code, the Solicitor to the Council explained that penalties were generally restricted to the publication of the fact that a Member had been in breach of the Code. He added that prosecution was possible, but only with the consent of the Director of Public Prosecutions. However, there had been no prosecutions in the two years since the Code had been adopted and although this penalty was included in the legislation, in practice it was unlikely that prosecutions would take place, particularly as there were no precedents.

Members and the Independent Person on Standards Matters agreed that a comprehensive Code was preferable and although it was a lengthy and detailed document, this made it easier to use when a complaint had been made. Members also agreed that the Code should be all encompassing and include the Principles and there was some discussion about where they would best fit.

The Independent Person on Standards Matters suggested that there should be some consistency with the Code used by West Sussex County Council (WSSC) and this was supported by Members.

In response to a Member's question, the Solicitor to the Council explained he wanted views on Swindon Borough Council's Code as it was also a comprehensive Code but different to that of MSDC. He explained there was value in working on the Code as Parish Councils who apply the code seem to work better.

The Solicitor to the Council agreed to amend the Code of Conduct in light of Member's comments, retaining the comprehensive format and reflecting WSSC's Code. He explained he would submit the amended Code for Members to consider at Committee in October 2014.

RESOLVED

That:

- (1) the comprehensive format of the Code of Conduct be retained;
- (2) amendments be made to reflect the Committee's comments; and
- (3) the amended Code be submitted for the Committee's consideration in October 2014.

8. FUTURE MEETING DATES

Members noted the future meeting dates 8th October 2014 and 17th February 2015.

Chairman