

**Minutes of a meeting of the Mid Sussex District Council
Standards Committee held on Monday, 11 July 2016
from 6:00 p.m. to 6:45 p.m.**

Present: Cllr Pete Bradbury (Chairman)
Town Cllr Christopher Ash-Edwards (Vice-Chairman)

Cllr Liz Bennett
Parish Cllr William Blunden* Cllr Heidi Brunsdon
Parish Cllr Maria Fielding Cllr Anne Jones*
Parish Cllr Stephen Hand Cllr Gordon Marples

* Absent

Also Present: Anthony Cox, Independent Person on Standards Matters.

1. ELECTION OF CHAIRMAN

Councillor John Belsey nominated Councillor Pete Bradbury, as there were no further nominees Councillor Bradbury was duly elected.

RESOLVED

Councillor Pete Bradbury be elected Chairman of the Standards Committee for 2016/17.

2. APPOINTMENT OF VICE-CHAIRMAN

The Chairman nominated Town Councillor Christopher Ash-Edwards and this was seconded by Councillor Gordon Marples.

RESOLVED

That Town Councillor Christopher Ash-Edwards be appointed as Vice Chairman of the Standards Committee for 2016/17.

3. APOLOGIES

Apologies were received from Councillor Anne Jones, Parish Councillor William Blunden and Independent Person on Standards Matters Dr David Horne.

4. DECLARATIONS OF INTEREST

None.

5. MINUTES

The Minutes of the meeting of the Committee held on the 23 February 2016 were approved as a correct record and signed by the Chairman.

6. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS

None.

7. CRITERIA FOR ASSESSING CODE OF CONDUCT COMPLAINTS

The Solicitor to the Council introduced the report and stated that there was a long series of complaints against a Worth Parish Councillor and a lot of time had been spent on this matter. There had also been a number of complaints about Neighbourhood Planning related matters. These were more complaints about decisions as opposed to code of conduct complaints.

The Chairman stated that it was not for this committee to tell Parishes how to draw up their Neighbourhood Plans. Only where there was wrongdoing should the matter come before the committee.

Correspondence from Dr David Horne, Independent Person on Standards Matters was at this point circulated to Members of the Committee. The correspondence circulated included a number of points that Dr Horne would like the committee to consider.

The Chairman indicated that he was not overly concerned by paragraph 8 relating to time. Paragraph 12 was not a matter for Mid Sussex District Council to consider. Paragraph 11 relating to costs of investigations were not unduly high.

Tom Clark, the Solicitor to the Council stated there had been one case where costs were considered to be high.

A Member stated that he could not easily find how to make a complaint via the website, nor could he determine the jurisdiction of this committee. He further felt that it would be helpful if there were some examples or case studies that could be provided on the website in order to be helpful.

A further Member stated that in her opinion there should not be a time limit on complaints being made.

The Solicitor to the Council confirmed there was not a statute of limitations.

The Member stated that she did not believe cases should be dismissed purely on time. Instead there should be a substantive criteria.

A Parish Council Member agreed that it was difficult to find how to make a complaint on the website. He also agreed that it would be helpful to sharpen up the remit of the committee and to signpost to other avenues that may be available.

A further Parish Council Member said that with regards to time to raise a complaint, this would need to be considered in the context of the complaint being made for example the seriousness of the complaint.

A Member stated that the Committee should be seeking a broad brush approach. In relation to the circulated correspondence he felt that it would be more appropriate for paragraph 12 to be rejigged so that the overarching statement should lead into the subheadings.

Another Member concurred with taking a broad brush approach stating that in her view the paper should set a flavour of the direction.

The Independent Person, Anthony Cox, stated that it was important that the public were able to understand in a precise way, the remit of the committee and that this should be easily available on the website.

The Chairman stated that for clarity Paragraph 5 should be amended to read "... rather than an issue of standards". Paragraph 9 should be amended to read "...relative to nature of complaint made."

A Member stated that she was still not happy with the wording of paragraph 9 and a further Member proposed to include “ take into account nature, seriousness and time since.”

The Chairman stated that, regarding the correspondence from Dr David Horne, he was not convinced paragraph 1-3 were necessary. In relation to paragraph 4 he was happy to include the suggested list except in relation to membership of Cabinet or Outside Bodies.

The Solicitor to the Council confirmed that Cabinet Member’s or Members of Outside Bodies can only resign, they cannot be removed.

A Member then stated that the list should be published on the website but that it shouldn’t be an exhaustive list. It would also be prudent for officers to look at what other Councils do.

The Solicitor to the Council confirmed that this would be useful in order to avoid confusion by members of the public who sometimes thought that it was possible to get a Member suspended. The law has changed and it is no longer possible to suspend Members.

As there were no further comments, the Chairman took Members to the recommendation which was agreed unanimously.

RESOLVED

That the Code of Conduct Criteria be agreed subject to additional wording at paragraph 5, the rewording of paragraph 9, and the renumbering of paragraph 12 and a full review of the presentation of Standards matters on the Council’s web site.

8. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN

None.

9. FUTURE MEETING DATES

The Chairman confirmed the next meeting dates for the forthcoming year and that meetings would take place at 6pm. It was also stated that to come to the next meeting was an item proposing updates to the website and making clear that the proposals should include that complaints can go to another Council where there is a potential conflict of interest.

Chairman