

**Minutes of a meeting of Standards Committee
held on Monday, 17th December, 2018
from 6.00 pm - 6.23 pm**

Present: P Bradbury (Chairman)

L Bennett	A Jones
M Fielding	G Marples

Absent: Councillors C Ash-Edwards, J Belsey, W Blunden, H Brunson and S Hand

Also Present: Councillors

1. TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Councillor Chris Ash-Edwards, Councillor Stephen Hand, Councillor John Belsey and Councillor Brunson.

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

None.

3. TO RECEIVE DECLARATION OF INTERESTS FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA

None.

4. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING.

The Chairman enquired whether contact had been made with the Mid Sussex Association of Local Councils (MSALC) and Town and Parish Council Clerks as noted in the previous Minutes.

Tom Clark, Monitoring Officer, explained that he contacted the Parish Clerks but not MSALC as he felt the information be more appropriate for the Clerks rather than the Members of MSALC.

The Chairman asked that all Members of MSALC be emailed with the information.

The Monitoring Officer confirmed that he would email all Members of MSALC.

The Minutes of the meeting of the Committee held on 25 June 2018 were approved as a correct record and signed by the Chairman.

5. UPDATE ON STANDARDS ISSUES.

Tom Clark, Monitoring Officer, introduced the report which requested the Standards Committee to consider: the outcome of the government's consultation on sex offenders and those with anti-social behaviour orders and their ability to stand for the local elections in May 2019, the review of the Committee for Standards in Public Life into the Local Government Standards regime, a reminder on the Code of Conduct and in particular when developing planning policy documentation and points from recent cases. He confirmed that the details from Central Government will be received in January 2019. It was also noted that the Monitoring Officer had attended a consultation meeting of the Committee for Standards in Public Life which is likely to propose a national Code of Members Conduct as well proposals to limit the bullying of councillors on social media which may put off some who may otherwise wish to stand for public office.

The Chairman questioned how the Council can check if a political candidate has a sex offender or anti-social behaviour order.

The Monitoring Officer explained that it would be indicated on their nomination form and they would have to declare it. If they did not declare it initially and it was found that they did have any order against them then they would be automatically disqualified.

A Member highlighted how he had personally experienced bullying on social media.

The Chairman sought clarification as he believed Parish Clerks can only carry out dispensations in collaboration with the District Council.

The Monitoring Officer confirmed that the work would be done mainly by the Parish Clerk but optionally including consultation with the Solicitor to the District Council; any Clerk can come to the Solicitor of the Council if they have concerns about a councillor.

A Member enquired whether there is a duty to declare an interest in the case of a parish councillor and their neighbour applying for a grant or a planning application.

The Monitoring Officer explained that disclosable pecuniary interest would not apply in that case as it only applies when the property is owned by the parish councillor. A prejudicial interest would likely arise however as it applies in cases whether the land is owned or is located near to land owned by the parish councillor.

A Member queried how much notice does the Monitoring Officer need to be notified of an interest.

The Monitoring Officer clarified that it should be mentioned at the start of the meeting however if it is noted during the meeting then the Member would have to leave and not return until the voting has been completed.

A Member drew attention to Section 3 on P.12, specifically decisions which might be regarded as affecting a councillor's financial position. He asked whether this would include the perception that the councillor's property value may be affected due to a proposed development.

The Monitoring Officer confirmed that it does.

A Member noted a planning development which was proposed to be located in the land behind the Member's property and understood that he could not attend the meeting.

The Monitoring Officer explained that following a case where a councillor attended a licencing committee which was determining an application of the councillor's son, the High Court ruled that a councillor could not sit within the confines of the committee as it would be considered an undue influence on the committee's decision. He drew attention to the misunderstanding of councillors who do not believe there is no need to declare an interest when they are not directly part of the committee.

A Member welcomed the clarity of the report.

Dr David Horne, Independent Person on Standards Matters, proposed whether it would be appropriate to mention anything for the forthcoming local elections.

The Monitoring Officer stated that it would be a good idea to mention it and Code of Conduct issues are already noted in the candidate's nomination pack.

The Chairman thanked the committee for their contributions and wished everyone a happy Christmas. He then took Members to the recommendation which was agreed.

RESOLVED

The committee noted and commented on the report.

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

None.

The meeting finished at 6.23 pm

Chairman