

**Minutes of a meeting of the Mid Sussex District Council  
Standards Committee held on Tuesday, 17<sup>th</sup> July 2012  
from 7.00 pm to 7:24 pm.**

**Present:-**

Town Cllr Christopher Ash- Edwards	Cllr Jack Callaghan* Parish Cllr Duncan Cunningham*	Cllr Andrew Lea Cllr Gordon Marples Cllr Simon McMenemy*
Cllr Liz Bennett Parish Cllr William Blunden	Parish Cllr Jenny Forbes* Cllr Catrin Ingham*	

\* Absent

Also present: Mr Gerard Irwin and Sir Roger Sands, Independent Persons on Standards Matters.

**[Tom Clark, Monitoring Officer, in the Chair]**

**1. SUBSTITUTES**

None.

**2. ELECTION**

It was proposed by Councillor Gordon Marples and seconded by Councillor Andrew Lea that Councillor Jack Callaghan be elected as Chairman of the Committee for the 2012/13 Council year.

**RESOLVED**

That Councillor Jack Callaghan be elected Chairman of the Committee for the 2012/13 Council year.

**3. APPOINTMENT OF A VICE CHAIRMAN**

It was proposed by Parish Councillor William Blunden and seconded by Councillor Liz Bennett that Councillor Gordon Marples be appointed as Vice Chairman of the Committee for the 2012/13 Council year.

**RESOLVED**

That Councillor Gordon Marples be appointed Vice Chairman of the Committee for the 2012/13 Council year.

**[Councillor Gordon Marples, Vice Chairman, in the Chair]**

**4. APOLOGIES**

Apologies were received from Jack Callaghan, Duncan Cunningham, Jenny Forbes and Simon McMenemy.

## **5. DECLARATIONS OF INTEREST**

None.

## **6. MINUTES**

The Minutes of the meeting of the Committee held on the 3<sup>rd</sup> April 2012 were approved as a correct record and signed by the Chairman.

## **7. STANDARDS COMPLAINTS PROCEDURE FROM JULY 2012**

The Monitoring Officer introduced the report and clarified that the recommendation to should read 'Sub Committee' rather than 'Panel' because the Standards Committee was now an ordinary Committee of the Council following changes brought in under the Localism Act 2011.

The Monitoring Officer notified Members that Councillor Jenny Forbes had suggested prior to the meeting that the Committee may wish to consider amending the procedure to allow the Member in receipt of a complaint to see the complaint in full and have 14 days to respond in writing for the assessment sub-committee to consider alongside the complaint.

Members expressed their support for the proposal on grounds of allowing the Member the subject of the complaint to have their version taken into account in the initial decision. One Member said that a complainant should be prepared for their complaint to be made public.

A Member suggested that the Member who was the subject of the complaint should sign a confidentiality agreement to not share the details of the complaint until it has been considered by an Assessment Sub-Committee. The Monitoring Officer said that the information could be sent on the basis that it is confidential information and any illicit disclosure would be a breach of the Code of Conduct. Another Member said that it should also be made clear to complainants that their complaint would be shared with the subject of the complaint.

The Vice-Chairman invited the independent persons to speak. They could see the virtue in allowing the sub-committee to view both sides of the argument in their initial assessment of the complaint.

The Vice-Chairman moved to a vote with the amendment to the procedure to include Councillor Forbes' proposal and the motion was unanimously agreed by the Committee.

In response to a Member's query the Monitoring Officer said that existing statements and web pages would be updated in consultation with the Chairman and Vice-Chairman of the Committee. The Monitoring Officer clarified that sub-committee Chairmen would be appointed by the sub-committee for each case.

The Vice-Chairman moved as recommended and this was approved unanimously by the Committee.

## **RESOLVED**

That:

- (1) the Monitoring Officer has delegated authority to compose sub-committees of three members to consider complaints to include at least one district member and one town / parish member on each sub-committees.
- (2) the Council maintains the system of assessment sub-committees, review sub-committees and hearing sub-committees, in accordance with the form of procedure used since 2008 as summarised in Appendix 1 subject to the complaint being fully disclosed to the subject matter of the complaint with a 14 day opportunity to respond in writing ahead of the assessment sub-committee.

Chairman