

**Minutes of a meeting of the Mid Sussex District Council
Standards Committee held on Wednesday, 21 October 2015
from 6:00 p.m. to 6:37 p.m.**

Present: Cllr John Belsey (Chairman)
Town Cllr Christopher Ash-Edwards (Vice-Chairman)

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

* Absent

Also Present: Sir Roger Sands Independent Persons on Standards Matters.

9. SUBSTITUTES

None.

10. APOLOGIES

Councillor Liz Bennett and Gerard Irwin, Independent Person on Standards Matters.

11. DECLARATIONS OF INTEREST

None.

12. MINUTES

The Minutes of the meeting of the Committee held on the 25 June 2015 were approved as a correct record and signed by the Chairman.

13. THE CODE OF CONDUCT AND NEIGHBOURHOOD PLANNING

The Solicitor to the Council introduced the report by stating that the Council have received no substantive complaints at District or Parish level since May 2015. He continued that Neighbourhood Planning, and Councillors' interests in it, have been the main cause for questioning because the majority of sites considered for inclusion in Neighbourhood Plans are positioned close to at least one Councillor's residence.

The Solicitor to the Council went on to briefly explain that Parish Clerks have power to grant dispensations to allow Members to continue to discuss the Neighbourhood Plan even though they may have a prejudicial interest. He explained that at present, Mid Sussex District Council have not had to deal with any complaints with regard to Councillor land ownership.

The Solicitor to the Council concluded by stating that he is currently visiting Parish Councils, at their request, to discuss the Code of Conduct which included reference to this issue.

One Member commented that in his village, the Neighbourhood Plan is the most divisive thing that has ever happened. He stated that it has caused several resignations, and has led to 5 out of the 12 Members of the Neighbourhood Planning Group to be living within quarter of a mile of one particularly contentious site. He queried the public perception of this fact. He continued to ask where such matters would be called into examination and whether this would be at the Mid Sussex District Council Standards Committee or the Neighbourhood Plan Inspection.

The Solicitor to the Council confirmed that unless there was a complaint in respect of Code of Conduct, such matters would not be heard by the Mid Sussex District Council Standards Committee, and that the public perception of such a matter would be made clear at the referendum vote.

The Chairman asked The Solicitor to the Council if it was possible to make best practice recommendations to the Parish Councils.

The Solicitor to the Council confirmed that this was possible.

One Member commented that without the Parish Clerks having powers to grant dispensation to allow certain Members to remain for discussions, often meetings would not have a quorum. He continued to lament that it was not possible for Members with pecuniary interest to also receive a dispensation.

A Member continued to state that because it was not possible for Members with pecuniary interest to also receive special dispensation, Parish Councils often missed out on the skills of very experienced Members. In the case of her Parish, which is split between three areas, one area was completely unrepresented in Neighbourhood Plan discussions owing to the three Members all having a pecuniary interest. She concluded by stating that this led to concerns with the local residents.

One Member commented that in his parish, where the Neighbourhood Plan has been adopted, they had not had any pecuniary issues, however, there had been concern over the definition of a personal interest. He commented that in a small village, all Members live within a small distance of a site being considered for development. He requested that the definition be tightened.

A Member commented that there are different issues for Neighbourhood Planning in Towns and Parish, therefore, transparency for all is crucial.

One Member commented that public attitude was low to those in public service, and that while the dispensation has worked, this should be used to diminish the examination or receipt of complaints. She queried whether it would be possible to provide a standard set of wording for all Neighbourhood Planning groups to make transparency a standard.

A Member commented that negative Neighbourhood Planning situations are driven by a lack of skills and experience to undertake the necessary work. Therefore, it was necessary to hire in the relevant experts. He also commented that paragraph six of the report is the nub of the issue, and should be highlighted to Parish Councils.

In answer to the points raised, the Solicitor to the Council stated that Neighbourhood Planning is a sophisticated process, with the potential for criminal proceedings if a Member overstayed their welcome in the room and, therefore a safe approach of not getting involved in the Neighbourhood Plan was the best approach.

One Member commented that the Sussex Association of Local Councils has the expertise for training Parish Councils and Clerks.

The Solicitor to the Council commented that many Council's had received training from this Association since May 2015.

The Independent Person on Standards Matters queried what the legal requirements for issuing the dispensation were, and whether these dispensations are formally recorded.

The Solicitor to the Council confirmed that the dispensations are recorded, and confirmed that the legal basis was provided in Section 33 of the Localism Act 2011.

The Chairman stated that Mid Sussex District Council Standards Committee are only involved in Code of Conduct issues, and asked whether there were any best practice examples that could be shared.

The Solicitor to the Council stated that the current process is correct, although it would be possible to send out a message to Town and Parish Councils to err on the side of caution due to the increased scrutiny from the public.

In addition to this, one Member asked whether it would be possible to enforce the availability of a discussion about the Code of Conduct and Neighbourhood Planning from the Solicitor to the Council with Town and Parish Councils.

The Solicitor to the Council responded by stating it would be possible to reiterate the offer of a visit.

RESOLVED

That the Committee noted the report, and noted that paragraph six of the report be highlighted in an email to Town and Parish Councils.

8. FUTURE MEETING DATES

The Chairman confirmed the next meeting date is 23 February 2016 and the Members noted this date.

Chairman