

## Minutes of the Extra-Ordinary Standards Committee

19 August 2004

Councillors	Independent Members	Parish Council Reps
Liza McKinney (Chairman)	*Anthony Case (Vice-Chairman)	Christopher Kemp (Lancing)
Keith Dollemore	Miss Santosh Bhabra	Daniel Yates (Sompting)
Ann Bridges		

\* = Absent

*Councillor Berry was present in the public gallery.*

### **S/104/04 Questions & Statements by the Public**

There were no members of the public present. Therefore the Chair was unable to invite questions or statements about any matter for which the Council had a responsibility or which affected the district.

### **S/105/04 Items Raised under Urgency Provisions**

There were no items to be considered under the urgency provisions.

### **S/106/04 Applications for Dispensations**

The Committee had before it a report by the Head of Legal and Democratic Services, copies of which had been circulated to all members and a copy of which is attached to the signed copy of these minutes as item 3.

The report detailed applications from Councillors Coomber and Gray regarding dispensations for prejudicial interests from Councillors on the Planning and Regulatory Committee. Circulated at the meeting were further applications from Councillor Blunden and Councillor Albury.

It was noted that the Democratic Services Officer had contacted Councillors V Parkin and L Graysmark and both members felt that they did not have a prejudicial interest in this matter. Councillors' Pigott, Mockridge and Boggis had not responded either way.

A member asked how councillors were able to benchmark themselves in this type of situation. The Head of Legal & Democratic Services responded that the test was if you felt you could just 'drop in for a cup of tea' unannounced to another member's place of residence or work then you should consider yourself a friend of that person.

It was asked whether the member's code on planning issues should be excluded in these matters. The Head of Legal & Democratic Services said that councillors should have read any available information given. If a member is in the same political party only then they would be considered to have a personal interest. However, if the person is a friend then they

are considered to have a prejudicial interest. He referred to his report (Agenda Item 3) and the two grounds that were being used for considering any dispensations. It was noted that should a labour member or independent member be excluded for prejudicial interests then the political balance requirements would be in effect. The Local Government & Housing Act was referred to. It was confirmed that there is still a duty to apply political balance regulations to the Planning Committee although there can be a slight dichotomy.

The Head of Legal & Democratic Services stated that, with reference to the Planning Committee, it would require 6 members to declare a prejudicial interest before the 50% rule applied.

A member asked whether the Standards Committee, members and officers should be reactive or proactive on these situations. The Head of Legal & Democratic Services commented that all committees now have an annex to every agenda relating to the Code of Conduct. It was recognised that further consultation, training and perhaps an application form attached to agendas would make matters more proactive. These matters will come before the Standards Committee in report form in due course. However, it was advised that decisions should not be made on "what may happen". It was also noted by a member that should we become too proactive then 'independent' thinking and personal responsibility may be reduced, with members waiting to be contacted by officers about code of conduct and dispensation matters instead of making those decisions themselves. All members at this committee agreed that a zero tolerance policy should be adopted in this matter.

Finally the Head of Legal & Democratic Services confirmed a question about substituting. It is possible to substitute for part of a meeting for example if a member knew they would be late for a meeting then they could ask another appropriate member to substitute for them until they arrived. However, another member cannot be brought in to substitute for a specific item.

**Resolved** that the Standards Committee does not grant the dispensations for Councillors Coomber, Blunden, Gray and Albury on the grounds that

- (i) there are not more than 50% of the committee who are unable to participate
- (ii) the Conservative group will continue to have the majority of representatives at the Planning & Regulatory Committee, therefore the provisions of S.15(4) Local Government & Housing Act 1989 are complied with.

And that the Standards Committee does not grant the dispensation for Councillor Gray as she had not identified in her application the reasons why the dispensation should be granted.

The Chairman declared the meeting closed at 8.17pm.

CHAIR