

Horsham Association of Local Councils (HALC)

Chair: Cllr Malcolm Eastwood (Henfield Parish Council)
Secretary: Anna Beams, Mulberry & Co, 9 Pound Lane, Godalming, GU7 1BX
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Minutes of the Annual General Meeting of Horsham Association of Local Councils held on Wednesday 13th July 2022 at 7.00pm by Zoom.

Present:

Cllr Susie Fischel	Ashurst Parish Council
Cllr Ann Blakelock	Bramber Parish Council
Cllr Geoff Clark	Broadbridge Heath Parish Council
Cllr Terry Oliver	Broadbridge Heath Parish Council
Cllr Stephen Davis	Colgate Parish Council
Cllr Donna Everest	Cowfold Parish Council
Cllr Malcolm Eastwood	Henfield Parish Council (Chairman)
Cllr Daryn Goldsmith	Henfield Parish Council
Cllr Ian Botting	Horsham Denne Neighbourhood Council
Cllr Alan Britten	North Horsham Parish Council
Cllr Donald Mahon	North Horsham Parish Council
Cllr Jill Chaytor	Nuthurst Parish Council
Cllr Owen Hydes	Nuthurst Parish Council
Cllr Heather Cartwright	Parham Parish Council
Cllr Ian Hare	Pulborough Parish Council
Cllr Elaine Kipp	Pulborough Parish Council
Cllr Paul Kornycky	Rudgwick Parish Council
Cllr Ritchie Gatt	Rusper Parish Council
Cllr Philip Baxter	Shipleigh Parish Council
Cllr Norman Prince	Thakeham Parish Council
Cllr Richard Scott Kerr	Thakeham Parish Council
Cllr Bob Harber	Upper Beeding Parish Council
Louise Shaw	Warnham Parish Council
Cllr Patrick Heeley	Washington Parish Council
Cllr Fran Davis	West Chiltington Parish Council
Cllr Chris Fagan	West Chiltington Parish Council
Cllr Roger Noel	Woodmancote Parish Council
Cllr Jill Arthur	
Cllr Jason Thomas	
Trevor Leggo	West Sussex Association of Local Councils, CEO
Anna Beams	Secretary

1. Welcome and apologies

The Chairman welcomed members to the meeting.

He advised that Horsham District Council will be holding a Water Neutrality briefing for all members of HALC on Wednesday 27th July at 6pm. The briefing will last for approximately 1 hour and will take place by Zoom. An invitation will be circulated in due course.

2. Apologies

Received and accepted from Cllrs Peter Cozens (Amberley PC) and Derek Moore (Southwater PC) and representatives from Storrington & Sullington PC.

3. Election of Officers of HALC

- a) Chairman: Cllr Philip Baxter proposed Cllr Malcolm Eastwood as Chairman, was seconded by Cllr Donald Mahon and **AGREED UNANIMOUSLY**
- b) Vice Chairman: The Chairman thanked the previous Vice Chairman, Cllr Graeme Acraman, for his support during his time in the role. Cllr Alan Britten nominated Cllr Donald Mahon, was seconded by Cllr Malcolm Eastwood and **AGREED BY THE MAJORITY**
- c) Secretary/Treasurer: The Chairman proposed Anna Beams as Secretary/Treasurer, **AGREED BY THE MAJORITY**

4. Approval of the Minutes of the previous meeting held on 16th March 2022

It was **AGREED** that the Minutes should be approved and signed as a correct record.

5. Appointment of representatives to outside bodies

- a) WSALC Board: It was **AGREED** that the Chairman, Cllr Malcolm Eastwood, and Vice Chairman, Cllr Donald Mahon, are appointed representatives to WSALC.
- b) HDC Climate Change Group: the Chairman advised that the group is currently undergoing changes and that HDC will look to be advised by professional voluntary bodies rather than an in-house panel. The Chairman proposed that he would approach HDC and the current representatives to continue in their role in an altered capacity as an internal HALC role focused on implementing positive change including output from HDC and able to report back to HALC discussions held by the group.
- c) CPRE: Susie Fischel agreed to continue as representative.

6. To approve and adopt the updated HALC Constitution

The Chairman referred to the draft Constitution circulated with agenda (appendix A). It was **AGREED BY THE MAJORITY** to adopt the Constitution – there was 1 abstention.

7. To present the annual accounts

The Chairman explained that the accounts had been completed and independently examined to 31st March 2022 (Appendix B) and that the accounts would be completed next year to June 30th according to the newly adopted Constitution.

8. Motion to increase the annual subscription from £15 to £20

The Chairman advised that he anticipates an increase in HALC activity which will result in a need for more administrative support. He would also like a buffer in reserves. Grants cannot be guaranteed from WSALC and the HDC grant is no longer available.

When a breakdown of how extra will be spent was requested it was explained as – admin costs & potential conference

It was **AGREED UNANIMOUSLY** to increase annual subscription from £15 to £20.

9. Report of last years activities by the Chairman

The Chairman referred to his report circulated with the agenda (Appendix C). He highlighted that the association has a very positive dialogue with HDC.

10. Reports from outside bodies

- a) WSALC: The Chairman reported that the last meeting was held on 29th April. Updates included -
 - NALC will hold their annual conference on 7th November and are encouraging entries to be submitted to the CALC Project of the Year awards and Star Council Awards.
 - The training continues to be well subscribed with 418 West Sussex bookings in total.
 - WSALC are encouraging all member councils to have a robust resilience plan in place.
 - West Sussex County Council are offering support to households that wish to support Ukrainian families.
- b) HDC Standards Committee: Cllr Philip Baxter submitted his report with the agenda (Appendix D)
- c) HDC Climate Change Group: no report
- d) CPRE: no report

11. Road Policing Update, Chief Inspector Kendal Wells, Sussex Police

CI Kendal Wells introduced himself as working within the Operations Command and Partnerships Team within Sussex and Surrey Police. Before he took on his current role in April 2022 he was a District Inspector at Wealden in East Sussex.

The Chief Inspector shared the attached a presentation and highlighted:

- Operation Downsway is a Police led operation aiming to tackle anti-social driving and riding on the roads of Sussex and is used to target areas of concern to local communities
- All town and parish councils in Sussex were invited to road safety briefings held by Sussex Police
- Mobile camera vans have captured 480 incidences of speeding, 585 tickets have been issued and 76 arrests made from April to date
- 76 vehicles have been taken off the road
- A video explaining Operation Downsway in more detail can be viewed at [Operation Downsway - YouTube](#)

CI Wells explained that he also works with the SSRP (Safer Sussex Roads Partnership) as a link between the SSRP and the community. He added that the SSRP is made up of partners from the Police, Brighton & Hove, East & West Sussex County Councils, East Sussex Fire & Rescue and Highways England. The goal of the SSRP is to reduce the rate of those killed and seriously injured on Sussex roads and to make the road safer.

The Chief Inspector is working with the SSRP to place more mobile cameras in positions of concern to local communities.

The SSRP runs campaigns and may be able to attend community events to promote road safety. The Campaign Officer can be contacted at Tom.hart@sussex.police.uk

SSRP have a wide presence on social media:

www.sussexsaferroads.gov.uk

Facebook – Sussex Safer Roads Partnership

Twitter - @SussexSRP

Instagram - @sussexsaferroadspartnership

Q: How can a parish council become more involved with installing cameras in their area? Are there projects that either this association or individual councils can subscribe to?

A: The criteria for cameras is set nationally and the criteria has not been updated since 2007. Criteria used in other areas is being explored where successful schemes have been implemented. There is an engineering group within the SSRP where areas of concern in the local community are taken to the group, solutions are then sought in consultation with Highways. If a need for camera is established the matter will be progressed further with the hope that the sight will be approved.

If any council has an area of concern they can contact CI Wells, providing details and data, he can then raise and progress the matter if necessary.

Q: Can any action be taken regarding dangerous use of e-scooters?

A: Operations are in place to target dangerous use of e-scooters, they can be seized. If there is intelligence regarding dangerous use, please report it.

Q: Can legislation be updated regarding noisy vehicles?

A: There is no legal noise limit currently set in legislation and it is therefore difficult to prosecute and target offenders. Two bids have been submitted for acoustic camera trials in the Horsham area, Sandygate Lane, Lower Beeding and the A29 southwards, these are not guaranteed as the trial is being run nationally.

Q: Are parish councils able to view data regarding traffic incidents in their local area?

A: A map published by the SSRP is available to view <https://ssrp.shinyapps.io/dataportal/>

Q: Are the Police responsible for controlling illegal parking at crossings?

A: The Police are not responsible for controlling parking in general. Incidences of dangerous parking however should be reported to neighbourhood policing teams. It is difficult to prosecute on the back of video or photographic evidence as currently by law the offence has to be committed in sight of an officer.

The Chairman thanked Chief Inspector Wells for attending and further thanked him and Sussex Police for the work they do in keeping communities safe.

12. Members issues

Cllr Paul Kornycky (Rudgwick PC): raised the issue of poor sound transmission during HDC remote meetings resulting in parts of the meeting being unable to be heard. The Chairman will raise the matter with HDC on behalf of HALC.

Cllr Owen Hydes (Nuthurst PC): questioned whether members councils of HALC are experiencing issues with some developers disregarding planning rules. In response, some member councils are experiencing issues however it was acknowledged that HDC are fortunate to have an enforcement team and that the majority of developers do not disregard planning rules. The Chairman suggested we should raise the matter at the 27th July meeting with HDC.

Cllr Terry Oliver (Broadbridge Heath PC): suggested that S106 agreements should be better expedited by HDC.

13. Dates of next meetings

- Wednesday 27th July @ 6pm by Zoom – HDC Water Neutrality Briefing
- Wednesday 12th October @ 7pm by Zoom – HALC meeting

Meeting closed at 20:25

Signed:

Date:

HORSHAM ASSOCIATION OF LOCAL COUNCILS (HALC)

CONSTITUTION (Amended)

Adopted at AGM Wednesday 13th July 2022

1. **NAME:** The Association shall be known as **The Horsham Association of Local Councils**, referred to in the rest of this document as **HALC**.

2. **OBJECTIVES:** The aims and objectives of HALC are to take all such steps as may be necessary or desirable in the interests of Member Councils consistent with the objectives of the National Association of Local Councils (NALC) which include;

2.1 To advance Member Councils' interests;

2.2 to take all such steps as may be necessary or desirable in the interests of Member Councils;

2.3 to promote a widespread and well-informed interest in Local Government and to disseminate good practice;

2.4 to receive reports from HALC representatives on other bodies and keep Member Councils informed;

2.5 to consult at least annually with Member Councils regarding the services provided by HALC, the West Sussex Association of Local Councils (WSALC) and the National Association of Local Councils (NALC);

2.6 to provide Member Councils with the opportunity to exchange views on current issues.

3. MEMBERSHIP

3.1 Membership is open to all 32 Parish Councils in the Horsham District;

3.2 Custom and practice would be for HALC Members to also be Members of their County and National Associations so that they benefit from the full range of support that the three organisations provide. Exceptions to this arrangement will require approval by at least two-thirds of the voting representatives Members attending a HALC Meeting.

4. REPRESENTATION

4.1 Each Member Parish Council shall be entitled to appoint two named representatives to attend, speak and vote at HALC meetings. The two representatives shall be appointed at the annual meeting of each of the Member Councils and the names confirmed to the HALC Secretary each year.

4.2 Parish Clerks are welcome to attend HALC meetings but are not eligible to vote.

4.3 HALC welcomes all Parish Councillors to attend meetings but only the two nominated representatives or their named proxy, advised by the Parish Clerk of the parish to the HALC Secretary in writing before a meeting may vote.

4.4 Neighbourhood Councils may also attend HALC Meetings but without membership or voting rights as they are not statutory bodies.

4.5 Representation of HALC on Outside Bodies (see point 15) shall be chosen by Members from elected members of Local Councils.

5. OFFICERS

5.1 The officers of HALC shall consist of a Chairman, Vice Chairman and Secretary/Treasurer all of whom shall be elected annually at an Annual General Meeting (AGM).

5.2 The Chairman and Vice Chairman shall serve a maximum period of two years after which time they shall retire but may offer themselves for re-election after a break in service of at least two years.

5.3 HALC may employ a Secretary and Treasurer.

6. SUBSCRIPTIONS & FINANCE

6.1 HALC shall be entitled to charge each of its Member Councils an annual subscription to cover its expenses. This sum shall be fixed at the AGM.

6.2 The HALC Secretary/Treasurer shall be responsible for receiving, banking and accounting of funds and shall present account made up to 30 June annually to the AGM for approval.

6.3 The financial year shall be from 1st July to 30th June.

6.4 The Secretary shall maintain a ledger detailing the income and expenditure of HALC and a bank account for which the Chairman, Vice Chairman and Secretary shall be authorised signatories.

7. CODE OF CONDUCT

Representatives shall comply with the Code of Conduct Model Guides published by NALC.

8. MEETINGS

8.1 HALC plans to hold at least four meetings a year at which matters of common interest to member Councils are discussed and where appropriate, agreed comments which reflect the majority views of HALC Members are sent by its officers to appropriate bodies.

8.2 Meetings should include the AGM and an Annual Meeting with Horsham District Council (HDC).

8.3 The Chairman shall chair all meetings or in their absence the Vice Chairman. If neither is available the meeting will appoint a Chairman.

8.4 The Secretary shall give at least fourteen days notice of any HALC meeting.

8.5 No business shall be transacted unless a quorum of at least one-third of the representatives entitled to vote are present.

9. ANNUAL GENERAL MEETING (AGM)

9.1 An AGM shall be held each year during the month of July.

9.2 No business shall be transacted unless a quorum of at least one-third of the representatives entitled to vote are present.

9.3 The Secretary or Chairman shall present to the AGM a report on the activities of HALC for the year just ended, and the Treasurer shall present an Annual Statement of Accounts.

10. SPECIAL GENERAL MEETING

10.1 Special Meetings of HALC may be called at any time by the officers. The objective of the meeting should be clearly stated.

10.2 Any member may call a Special Meeting provided they have written support of at least one-third of voting representatives and the objective is clearly stated.

11. BUSINESS MEETINGS & WORKING GROUPS

11.1 Business Meetings; may be called by the officers during the year with the purpose of exploring subjects of interest to HALC Members.

11.2 Working Groups; Member Councils shall be entitled, upon notification to the Officers, to form temporary Working Groups to address specific shared issues. Any such Working group shall only last for the duration of the issue being addressed.

12. PLACE & NOTICE OF MEETINGS

12.1 The Secretary shall give to each representative by writing to the Parish Clerk not less than ten days notice of the time and place of meetings with an agenda and minutes of the previous meeting.

12.2 Meetings may take place physically or virtually, as considered appropriate by the officers.

13. VOTING

13.1 Each Parish Council Representative has one vote.

13.2 Each Parish Council is entitled to appoint two voting representatives.

13.3 Voting will normally be by a show of hands but may be by a secret ballot if the Members choose.

13.4 Recording of voting will be carried out only if requested.

13.5 Decisions will be carried out by a majority vote.

13.6 members may abstain from voting

13.7 In the case of an equality of votes, the Chairman shall have a casting vote.

14. RESOLUTIONS

14.1 Member Councils wishing to have a resolution discussed at a meeting shall notify the Secretary in writing 21 days before the Meeting, including the full text of the resolution, and shall ensure that a Representative attends the Meeting ready to propose the resolution.

15. REPRESENTATIVES ON OUTSIDE BODIES

15.1 HALC nominates from within its membership, representatives for Outside Bodies. It is the responsibility of these representatives to provide a report to HALC meetings.

15.2 Members who represent HALC on Outside Bodies and who cease to be members of HALC will no longer be able to represent HALC.

15.3 Whilst representation may vary the current list is as follows;

15.3.1 WSALC Board Members (2)

15.3.2 Campaign for the Protection of Rural England (CPRE) (1)

15.3.3 HDC Standards Committee (2) which are elected for a four year period by HALC Members and receive an allowance from HDC.

15.3.4 HDC Climate Change Group (2)

16. EXPENSES OF OFFICERS & REPRESENTATIVES

16.1 Administrative expenses incurred by the officers shall be reimbursed. Justifiable expenses incurred by representatives attending meetings on behalf of HALC may also be reimbursed, subject to approval at a HALC meeting.

16.2 The Secretary/Treasurer receives payment on an hourly rate agreed with the service provider and their duties include circulation of agendas, meeting venue or online set up, the production of minutes and financial information.

17. RESIGNATION FROM MEMBERSHIP

17.1 Any Parish Council wishing to terminate its membership of HALC may do so by forwarding its resignation in writing to the Secretary at least two calendar months before 30th June in any year, and notice will become effective on that day.

17.2 Each Local Council shall continue to be liable for the payment of its contribution up to and including the date of which notice becomes effective.

18. AFFILIATIONS:

HALC is a member of the West Sussex Association of Local Councils (WSALC).

19. ALTERATION OF THE CONSTITUTION

19.1 Any alternation to or amendment of this constitution may, from time to time, be made by resolution at the AGM or a Special General Meeting, if approved by at least two-thirds of the voting representatives.

19.2 Notice of any such proposed alternation, amendment or addition must be given in writing not less than one calendar month before the meeting, and a copy of each such notice shall be sent to all representatives and their respective parish clerks at least fourteen days before the meeting at which it is to be considered.

20. DISSOLUTION OF THE ASSOCIATION

20.1 HALC can be dissolved only by an AGM or Special General Meeting. Any proposal that HALC be dissolved shall be subject to one months notice by the Secretary to Members and to WSALC and will require approval by at least two-thirds of the voting representatives

Appendix A

20.2 After dissolution is approved the Directors of WSALC should be notified within 24 hours together with the particulars of any assets held, the balance of funds in hand and an account of income and expenditure since the last annual statement.

20.3 In the event that HALC is dissolved, its assets shall be passed to WSALC.

Chairman: Malcolm Eastwood

Secretary: Anna Beams

Date Adopted: 13th July 2022

DRAFT

HALC YEAR-END ACCOUNTS				
01/04/2021 - 31/03/2022				
		2022		2021
RECEIPTS				
Local Councils' subscriptions		£420.00		£450.00
Conference		£0.00		£0.00
Grant from WSALC		£500.00		£0.00
Interest on cash at bank		£0.00		£0.00
TOTAL RECEIPTS		£920.00		£450.00
PAYMENTS				
Professional secretarial services		£870.00		£300.50
Postage		£0.00		£0.00
Refreshments		£0.00		£0.00
Meeting room hire		£0.00		-£100.00
Leaving gifts		£0.00		£0.00
Audit fee		£50.00		£0.00
TOTAL PAYMENTS		£920.00		£200.50
NET RECEIPTS		£0.00		£249.50
CASH AT BANK START OF YEAR		£1,966.85		£1,717.35
CASH AT BANK END OF YEAR		£1,966.85		£1,966.85
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITIES AND CASH AT BANK				
1. Accounting basis				
This statement of financial activities and cash at bank has been prepared on the receipts and payments basis.				
Opening	Balance 01/04/21			£1,966.85
	Receipts			£920.00
				£2,886.85
	Less unrepresented payments			
				£2,886.85
	Payments			£920.00
Closing	Balance 31/03/22			£1,966.85

Horsham Association of Local Councils (HALC)

Chairmans Report

July 2022

Following the changes in March 2021 a new HALC Board was formed consisting of myself, Graeme Acraman (Vice Chairman), Donald Mahon (WSALC Board Director) and Anna Beams (Secretary & Treasurer). Recently Graeme resigned as a Parish Councillor therefore the position of HALC Vice Chairman is currently vacant. We would like to thank Graeme for making a difference through his positive and active approach to the work of HALC and wish him all the best for the future.

Our initial focus was on ensuring a smooth transition of work from the retiring Secretary, setting up access to the bank account and various administrative arrangements. HALCs finances and administrative matters were and still are sound and so much of this work was about transition rather than building something new.

In parallel the Board have been supportive of the new Directors and Board Members of WSALC with myself and Donald representing you on that Board. Over the last 15 months WSALCs activities have also stabilised and through the service support and training arrangements with Mulberry & Co continuity for the parishes has been achieved. One feature of the new WSALC Board is that it has sought to be much more inclusive of Parish Clerks with two now sitting on its Board as non voting members. WSALC update sessions are also run for Parish Clerks as well as Parish Councillors. We have also promoted the new County Forums as our opportunity to speak to County Councillors on a range of subjects.

One of my own goals as Chairman was to strengthen the relationship with Horsham District Council and to ensure that HALCs voice and priorities were clear. Through nobody's fault during the covid pandemic and lockdowns this dialogue had become less and less. We needed to reestablish and reenergise. This has involved a number of phone and zoom calls and meetings with the CEO and Leader as well as the Head of Place and her team. All of these contacts have been open and honest with views, not always in agreement, but expressed clearly and with respect. Links have been rebuilt and it is notable the Horsham District Council staff members and councillors have started to seek HALC views on a range of topics and are communicating more frequently with their parishes and town councils. With the changes in Leader and CEO we need to ensure that these links continue to be fostered.

Specifically during the last year we have had exchanges with Horsham on progressing Neighbourhood Plans that are ready to move to referendum, Water Neutrality, the new Local Plan incorporating "understanding" workshops for parish and district councillors and 5 year housing supply. We have put two Councillors forward to work on the Climate Change Group and increased the focus on Nature Recovery networks and the knowledge and support that our communities can offer to the work of Horsham's partnership with Sussex Wildlife Trust.

Four HALC Meetings have been held including a face to face meeting at Horsham's offices. We have also agreed that HALC meetings will be held via zoom in the main part as we get better attendance and keep costs down. We have tried to focus on topics that are of interest to our members including the impact of the expansion of Gatwick airport but would encourage you all to come forward with ideas and speakers which would be relevant.

I would like to thank members for their support for HALC. The Chairman of WSALC has commented that we are the most active of the Local Associations and much of this is the result of your active participation and the receptive approach adopted by our colleagues at Horsham District Council. Long may this continue.

Appendix C

Malcolm Eastwood,
Chairman

Appendix D

HDC Standards 'Committee
15th June 2022
Report by Parish Representatives

The Agenda and Papers for the meeting can be found on the HDC website under Standards 'Committee Meetings – so they are not reproduced here. Key points are reported below.

Election of a Chairman: Cllr. Diana Van der Klugt was elected Chair. Cllr. van der Klugt recorded thanks to Cllr. Donnelly previous Chairman, for his past service on the Standards 'Committee; welcomed Councillors new to the Committee; and welcomed back the Independent Person present (John Donaldson) and the two Parish Representatives (myself and Stephen Watkins).

Election of Vice-Chairman: Cllr Peter Burgess was elected Vice-Chairman.

Announcements from Chair: Cllr. van der Klugt recorded the sad news that Mrs Mary Burrows (Senior Clerk to Slinfold Parish Council) had passed away on 3rd June. Condolences were expressed. Meetings of the Standards 'Committee are currently scheduled for 14th September 2022; 30th November 2022 and 15th March 2023.

Update on Review and Support for Steyning Parish Council: the Monitoring Officer (MO) reported that 70% of complaints received by HDC had been about Steyning Parish Council (SPC); they had incurred 80% of HDC's costs on complaints work amounting to some £65,000. At a previous meeting the Committee had decided to instruct a company (Hoey Ainscough) to assist; and had budgeted £20,000 for the work. The hope was to achieve a review of SPC processes and procedures to ensure that 'the right tools were in place'; to understand SPC's underlying issues; to work more effectively together; to try to ensure high standards and good governance; to ensure understanding of the roles of Members and of Officers; and finally, to develop an action plan to assist HDC with monitoring progress. The review had started. There were to be face-to-face interviews with SPC Councillors and Officers, starting on 23rd June. The aim was to have a final report by the end of July but it was recognised that this might be optimistic and a more realistic estimate for that would be some time in August. The Committee noted that SPC had adopted the new Code of Conduct; and would now await the report from Hoey Ainscough.

Government Response – Review of Local Government Ethical Standards: Many of the Best Practice recommendations had been adopted by HDC. The MO referred to main Recommendations of the Report. The Committee on Standards in Public Life had found evidence that the majority of Councils maintained high standards of conduct, although some did not – there was some evidence of bullying, other disruption, and persistent or repeated misconduct – by a small minority of Councillors. The Report was felt to be highly disappointing from HDC's point of view – principally because it lacks strong sanctions against offenders. The MO referred to key Recommendations

Rec 2: The government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home addresses; and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended accordingly. The MO noted that under current Rules, to be lawful, all Members should disclose their home addresses but there are circumstances which permit 'internal' registration of addresses with Monitoring Officers. HDC will be considering this.

Rec 5: The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to include unpaid directorships; trusteeships; management roles in charities or bodies of a public nature; and membership of any organisations that seek to influence opinion or public policy.

Appendix D

The changes recommended are to reflect the language used in the model Code of Conduct. The government will keep this under review – it had no immediate plans to change the Regulations.

Rec 8: The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once. This Recommendation had not been accepted and that was considered to be A Good Thing considering that Independent Persons were quite difficult to recruit. Some are shared amongst Authorities for this reason.

Recs 10, 16 and 18 were briefly reviewed together:

Rec 10, A Local Authority should only be able to suspend a councillor where the Authority's Independent Person agrees both with the finding of a breach and that suspending the Councillor would be a proportionate sanction;

Rec 16, Local authorities should be given the power to suspend councillors, without allowances, for up to six months; and

Rec18 the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished.

There is no provision in current legislation to suspend a Councillor who is in breach of the Code of Conduct. That was a policy decision taken at the time of the Localism Act 2011. The government's view was that the proposal would effectively reinstate the previous, flawed, regime. Moreover, it would be undesirable for a government 'quango' to police the free speech of Councillors; and equally undesirable to have a council body (appointed by councillors, and/or made up of councillors) sitting in judgment on the political comments of fellow Councillors. Councillors can be barred from Cabinet, Committees, or representative roles, and may be publicly criticised. All councillors are ultimately held to account via the ballot box.

The Government will engage with sector representative bodies of Councillors and Officers of all tiers of local government to seek views on options to strengthen sanctions to address breaches of the Code which fall below the bar of criminal activity and related sanctions but involve serious incidents of bullying and harassment or disruptive behaviour.

The Government does not agree with Recommendation 18, but believes the criminal offence of a non-disclosure of pecuniary interest to be a necessary and proportionate safeguard and deterrent against corruption.

Councillors do not have a right of appeal against any sanctions that might be made against them and a consequence of Recommendation 10 would be to confer that right.

The opinion was expressed that LAs should be able to suspend Councillors where that was felt to be a proportionate sanction and there would need to be a right to appeal to a Local Government Ombudsman – there is no right of appeal currently.

The Committee noted that an ability to suspend Councillors for 6 months could have undesirable consequences for freedom of speech; and that only three of HDC's local Councils had not adopted the new Code of Conduct.

Standards Update: for the first time, there were no current outstanding Code of Conduct complaint cases. Total Code of Conduct complaints for the first quarter of the current financial year amounted to 34: 26 related to Steyning; 3 related to HDC Councillors, 2 to West Chiltington, and 1 each for

Appendix D

Henfield, Nuthurst and Storrington and Sullington. The new procedure that had been brought in last year assists greatly. Now that most Councils were working from same Code, with the guidance that accompanies it, simplifies the procedure. The general view of Code of Conduct matters was positive – largely as a consequence of the major improvements to the process of dealing with complaints. It was also felt that appropriate training for Councillors and Officers in relation to the new Code ought to start as soon as possible (i.e., not to await the new intake of Councillors from the next elections).

Phil Baxter Steven Watkins
(Parish Representatives) 18th June 2022

