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8 August 2014

STANDARDS COMMITTEE

A meeting of the Standards Committee will be held in Committee Room 1 at the Arun Civic Centre, Maltravers Road, Littlehampton on **Wednesday, 20 August 2014 at 6.00pm** and you are requested to attend.

District Council Members: Councillors Mrs Goad [Chairman], Evans [Vice-Chairman], Ayling, Brooks, Edwards, English, Haymes, Tyler and Dr. Walsh.

Independent Persons: Mr B Green, Mr M Howdle, Mr J Thompson and Mrs K Vagg.

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declaration of personal and/or prejudicial interests that they may have in relation to items on this agenda.

You should declare your interest by stating:

- a) the item you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial interest

You then need to re-declare your interest and the nature of the interest at the commencement of the item or when the interest becomes apparent.

3. MINUTES

To approve as a correct record the Minutes of the meeting held on 17 October 2013 [**attached**].

4. ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES.

5. START TIMES

The Committee is asked to agree the start times of meetings during 2014/2015.

6. *ASSESSMENT SUB-COMMITTEE DECISION CONCERNING ALLEGATION AGAINST A FINDON PARISH COUNCILLOR

This report advises the Committee about an allegation regarding the conduct of a Findon Parish Councillor and the subsequent decision of the Assessment Sub-Committee.

7. **EXEMPT INFORMATION**

The Committee is asked to consider passing the following resolution:-

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

8. *REVIEW OF DECISION ON COMPLAINT AGAINST AN ANGMERING PARISH COUNCILLOR (Exempt – Paragraph 1 – Information Relating to Any Individual)

The Committee is asked to consider the attached report.

Note : *Indicates report is attached for Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager or accessed via the website at www.arun.gov.uk

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or Solicitor to the Council in advance of the meeting.

STANDARDS COMMITTEE

17 October 2013 at 6.00 p.m.

Present: - Councillors Evans (Vice-Chairman in the Chair), Edwards, English, Haymes, Tyler and Dr Walsh.

Independent Persons - Mr B Green, Mr M Howdle, Mr J Thompson and Mrs K Vagg.

309. WELCOME

The Chairman welcomed Members, Independent Persons and Officers to the meeting.

310. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Mrs Goad and from one of the Independent Persons – Mrs J Radley.

311. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the Government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions on the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a member declares a "Prejudicial Interest", this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

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Councillor Haymes declared a Personal and Prejudicial Interest in Agenda Item 6 (Assessment Panel Decision Concerning Allegation against a Yapton Parish Councillor) as he was the Yapton Parish Councillor mentioned. Councillor Haymes confirmed that he would leave the meeting for this item and so would not take part in any debate on this matter.)

312. MINUTES

The Minutes of the meeting held 19 July 2012 were approved by the Committee as a correct record and signed by the Chairman.

313. RESIGNATION OF INDEPENDENT PERSON FROM THE COMMITTEE – MRS J RADLEY

The Chairman informed the meeting that there was one urgent matter that needed to be brought to the Committee's attention.

This was that one of the Independent Persons, Mrs J Radley, had confirmed in writing that she would be resigning as an Independent Person of the Committee with immediate effect.

The Committee, in receiving this confirmation, wished to have recorded its thanks to Mrs Radley for her hard work from when she was Chairman and Vice-Chairman of the Committee and time spent since then as an Independent Person. The Committee asked the Head of Legal and Administration if she could send a letter of thanks to Mrs Radley on its behalf.

The Head of Legal and Administration then sought the Committee's views on whether it felt having four Independent Persons was a sufficient enough resource balanced against the workload of the Committee or whether it wished to recommend that a replacement fifth member be recruited.

Given its current workload, the Committee felt that the remaining four Independent Persons was more than sufficient to enable the Committee to cover any requests for Assessment Panel hearings and other work.

The Committee therefore

RECOMMEND TO FULL COUNCIL

That the resignation of Mrs J Radley be noted and no recruitment to find a replacement Independent Person takes place in view of the Committee's current workload.

314. START TIMES

The Committee

RESOLVED

That the start times for meetings during the remainder of 2013/2014 be 6.00 pm.

315. ASSESSMENT PANEL DECISION CONCERNING ALLEGATION AGAINST A YAPTON PARISH COUNCILLOR

(Prior to the commencement of discussion on this item, Councillor Haymes re-declared his Personal and Prejudicial Interest made at the start of the meeting and left the meeting for this item).

The Committee received and noted an information report regarding a case dealt with by the Assessment Panel relating to Yapton Parish Councillor – Stephen Haymes.

In looking at the Lesson Learnt advice, the Committee discussed whether this advice and an explanation of Public Question Time should be sent to all Town and Parish Councils and accepted as a comprehensive set of rules and best practice guide. The Lessons Learnt advice had already been sent to the Clerk of Yapton Parish Council.

Following a full discussion, the Committee agreed that this good practice guide could be offered to any Town or Parish Council if they requested help or advice on the working of Public Question Time, but that it would be inappropriate to send this to all Town and Parish Councils asking them to adopt this as a best practice guide.

316. CHANGE TO THE ORDER OF THE AGENDA

The Chairman requested and the Committee agreed to a change in the order of the agenda.

This was because under Agenda Item 2 (Declarations of Interest), the Committee, under the new arrangements that the Council had had to adopt in approving a new Local Code of Conduct and how this affected the appointment of the Committee's Independent Persons, should have resolved that Independent Persons be allowed to remain in the meeting for all items to be considered. This was because Independent Persons could no longer take

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part in voting on decisions before the Committee and that for each meeting of the Committee, it was now necessary for it to vote on allowing Independent Persons to remain in the whole meeting and during consideration of Exempt items.

The Committee therefore

RESOLVED

That the Independent Persons be allowed to remain in the meeting for all items to be considered but could not vote on any of the items.

317. ASSESSMENT PANEL DECISION CONCERNING ALLEGATION AGAINST A LITTLEHAMPTON TOWN COUNCILLOR

The Committee received and noted an information report regarding a case dealt with by the Assessment Panel relating to Littlehampton Town Councillor – Simon Weston.

318. REVISED DISPENSATION PROCEDURE

The Committee received a report from the Head of Legal and Administration which outlined the need for the Council to make changes to its current Dispensation Procedure to reflect changes made under the Localism Act 2011.

A revised Dispensation Procedure had been attached to the report as Appendix A.

The Committee

RECOMMEND TO FULL COUNCIL – That

- (1) the Dispensation Procedure be revised to bring it up to date to reflect the changes in legislation under the Localism Act 2011 as set out in Appendix A to the report being the revised Dispensation Procedure and as attached to these Minutes; and
- (2) the Head of Legal and Administration be given authorisation to make the necessary consequential changes to Part 3 of the Council's Constitution as outlined below:

CONSTITUTION – PART 3 – Paragraph 8.3 Dispensation Panel
– (Page 76)

Functions of the Dispensation Panel

8.3.1 The Dispensation Panel will meet as and when convened by the Head of Legal and Administration and Monitoring Officer in order to consider applications from Members ~~or co-opted members~~ of the Council for a dispensation relating to the consideration and discussion of, and voting upon, an item on the Agenda of a Council, Committee or Sub-Committee meeting, the taking part in which would, without the dispensation, result in the member breaching the Members' Code of Conduct arising from the Member's ~~personal and prejudicial~~ pecuniary interest in that matter.

8.3.2 The Dispensation Panel may ~~only~~ consider an application where it is made on the grounds that:

- ~~• more than 50% of the members entitled to vote would, by virtue of having a personal and prejudicial interest, be unable to do so; or~~
- ~~• the number of members that are prohibited from voting at a meeting would be such as to upset the political balance of the meeting to the extent that the outcome of the voting at the meeting would be prejudiced.~~
- **without the dispensation so great a proportion of the Council would be prohibited from participating in that business as to impede the Council's transaction of that business, or**
- **without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote, or**
- **the granting of the dispensation is in the interests of people living in the district of Arun, or**
- **without the dispensation each individual Cabinet Member would be prohibited from participating in the business, or**
- **it is otherwise appropriate to grant a dispensation.**

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319. NEW GUIDANCE ON PECUNIARY INTERESTS

The Head of Legal and Administration then provided the Committee with an update on new guidance received for declaring Pecuniary Interests at meetings.

A guide for Councillors issued from the Department for Communities and Local Government (DCLG) entitled "Openness and Transparency on Personal Interests" was circulated to the meeting.

The Committee also received advice on interests that had been prepared for the Chairman of the Overview Select Committee in advance of the Special Meeting of that Committee taking place on 24 October 2013 to consider a Call-In of Cabinet Decision C/033/160913 – Financial Prospects 2013/2014 to 2019/20.

The Committee also received an update on the training workshops that had yet to be organised on the new Local Code of Conduct and was advised that these would be organised soon.

320. EXEMPT INFORMATION

The Committee

RESOLVED

That under Section 100A (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

321. REGISTER OF ASSESSMENTS OF COMPLAINTS AGAINST COUNCILLORS (Exempt – Paragraphs 1 and 7C – Information Relating to any Individual and the Deliberations of the Standards Committee.

The Committee received and noted a report from the Head of Legal and Administration which provided Members with updated information to add to their Register of Assessments of Complaints against Councillors.

(The meeting concluded at 7.17 pm)

ARUN DISTRICT COUNCIL

STANDARDS COMMITTEE

20 AUGUST 2014

Information Paper

Subject : Assessment Sub-Committee Decision concerning allegation against a Findon Parish Councillor

Report by : Head of Legal and Administration & Monitoring Officer
Report date: 20 June 2014

1.0 INTRODUCTION

1.1 To advise the Committee about allegations concerning Findon Parish Councillor Peter Goldsworthy. The allegations were about Parish Councillor Goldsworthy's alleged behaviour over the application for a licence to sell alcohol from a shop in the village of Findon.

1.2 To advise the Committee of the Assessment Sub-Committee's decision.

2.0 RECOMMENDATION

2.1 The Decision Notice is attached and Members are requested to note that following an assessment by the Assessment Sub-Committee, it was decided not to take any action.

2.2 Members are also requested to note that requests for reviews were not received within the 30 day deadline and therefore this complaint is now completed.

Background papers: None

Contact: Wendy Ashenden-Bax – Extension 37589



**Assessment Panel
DECISION NOTICE:**

No Breach

Reference: SB/01/00(vix) - 133- Peter Goldsworthy (the Subject Member)

Legal Service Reference:0574

The Localism Act 2011 repealed the National Code of Conduct for members, but gave only days for Local Authorities to implement a new local code. For this reason the only complaint form available for the Complainant to use at the time was the form relating to the responsibilities under the National Code of Conduct. The new Local Code of Conduct for Findon Parish Council follows the government's model new local code of conduct. Under the new local code of conduct the responsibility of members has changed. The Assessment Panel has considered each issue of complaint against the relevant responsibility under the Findon Parish Council Local Code of Conduct, which are;

- National Principle Introduction: As an elected or co-opted member, councillors have a responsibility to represent the community...to secure better social, economic and environmental outcomes for all.
- Local Code Paragraph 1: Championing the needs of residents – the whole community And putting their interests first.
- Local Code Paragraph 5: Listening to the interests of all parties remaining objective and making decisions on merit.
- Local Code Paragraph 10: Always treating people with respect,...
- National Principle 1 Selflessness: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Complaint:

On 11 April 2013, Councillor Andrew Evans (Chairman), District Councillors Dr. James Walsh and Stephen Haymes, the

Assessment Panel of Arun District Council's Standards Committee, determined a complaint from Mr Costello concerning the alleged conduct of Councillor Peter Goldsworthy, a member of Findon Parish Council. The Panel had previously met and took advice from an Independent Person, Mr John Thompson, before making a decision.

Summary:

The Complainant alleges that the Subject Member used his position to maintain an advantage for the operators of the existing village news agency post office confectioners and off-licence (Existing Post Office and Shop) after the proprietors had voiced their concerns about a new shop opening (Proposed Off-Licence and Shop) and the Subject Member acted without the knowledge of his fellow councillors acting entirely on his own, and without any discussions or vote being taken at any council meeting.

Background Information:

- At the time of the alleged behaviour the Subject Member was the Chairman of Findon Parish Council.
- The Minutes of Findon Parish Council 23.04.12.Item 12.34 show that the applications to Arun District Council's Licensing Committee for both the Existing Post Office and Shop and Proposed Off Licence and Shop were considered at the meeting and concerns were debated in relation to both applications. It was proposed that the Subject Member draft a letter stating the objections raised during the debate at that meeting.
- The Minutes of Findon Parish Council 23.05.12. Item 11.59 show that the matter of a proposed letter to Arun District Council regarding Licensing was discussed. It was proposed that the Subject Member send a letter to Licensing once the Subject Member had amended the letter to include points contained within a summary considered at the meeting. Item 11.59 does not identify which premises were being discussed, but in the next Item 11.60 in response to a question from the Complainant, the Subject Member confirmed the matter being discussed in Item 11.59 was the proposed extended hours as applied for by The Gun P. H. and that the discussion was due to complaints that had been made regarding the degree of noise and disturbance when extended licensing hours are overdone.
- The Parish Council April/May News Letter included the following article by the Subject Member "Re the Proposed Off Licence and Shop – "The council lodged a strong protest to the Licensing Dept. at Arun DC against the application by the new tenants for an alcohol off sales licence during the hours of 7am-10pm, which we considered to be excessive

and potentially anti-social to the village in general and local residents in particular. Our protest was summarily rejected on the grounds that we could provide no evidence until the shop opened! Until then we implore all villagers to support the Post Office/News agents as much as possible, as the loss of that shop would be seriously damaging to the village" (the Subject Members Report).

- The Existing Post Office and Shop also sells a range of convenience goods and has an Off Licence for the sale of alcohol.
- The Complainant is a landlord of the Proposed Off Licence and Shop, which shop premises he had negotiated to let to a tenant (the Proposed Tenant).
- The subject matter of the complaint occurred April 2012 and Arun District Council received the complaint form from the Complainant on the 24 October 2012 some 6 months later.

Alleged behaviour and the Panel's findings in relation to that alleged behaviour:

1. That before the Proposed Off Licence opened but after the Proposed Tenant had already incurred considerable financial commitment, the Subject Member sought out the Proposed Tenant at his current unrelated trading address, (the Meeting)

Finding by the Assessment Panel – Councillors have the same right as any member of the public to seek to contact other people.

2. At the Meeting the Subject Member introduced himself as the Chairman of Findon Parish Council and gave his name and telephone number.

Finding by the Assessment Panel – This on its own is a statement of fact and does not demonstrate any behaviour that is in breach of the Local Code of Conduct.

3. The Meeting was an unsolicited approach to the Proposed Tenant.

Finding by the Assessment Panel – Councillors have the same right as any member of the public to seek to contact other people. It is up to that other person if they wish to engage in that contact.

4. At the Meeting the Subject Member verbally discouraged the Proposed Tenant from taking up a tenancy of the Proposed Off Licence and Shop by saying that:
 - a. The Proposed Tenants business was not needed in Findon village, as the village already has the Existing Post Office and Shop.

- b. The Subject Member objected to the proposed trading times of the Proposed Off Licence and Shop.

Finding by the Assessment Panel –

i Whilst preventing business competition is not an action a Parish Council should be involved in, it is appropriate for a Parish Council to consider the survival of community facilities in its area. In 2008 the government was subsidising post offices by £150 million a year and set in place a proposal to close 2500 post offices in Britain. As a result, Parish Council's across the country, including Sussex, became very aware of how rural Post Offices support the local community and the financial need for them to double up as rural shops as without both elements of their business they are unlikely to survive.

ii The Proposed Tenant has not made a complaint against the Subject Member or anyone else and the Complainant was not present at the Meeting.

iii The Subject Member has confirmed in a letter to the Deputy Monitoring Officer that;

- he did meet with the Proposed Tenant in the last week of April 2012 and that the meeting was perfectly cordial.
- the purpose of his visit was to ask the Proposed Tenant to restrict his opening hours to 6 or 7pm, rather than the 10pm the Proposed Tenant was looking for, the Subject Members grounds being for social and safety reasons.
- at that meeting he confirmed his support for the principle of free competition, but also told the Proposed Tenant that it would be difficult to compete against equivalent shops in Findon that were well established and considered an asset by Findon villagers, particularly as the Proposed Off Licence and Shop would have difficult parking problems and was somewhat removed from the village centre.
- the Proposed Tenant was not a resident of Findon and the Subject Member understood from the Proposed Tenant that the Proposed Tenant had been persuaded by the Complainant that the village was capable of supporting another General Store.
- the Complainant told the Subject Member that he had offered the Proposed Tenant a 6 month rent free period, which could be extended if necessary.

iv The Panel have not received any evidence that would indicate that the Proposed Tenant did not make his own

commercial decision about whether to proceed with a tenancy of the Proposed Off Licence and Shop.

v The Minutes of Findon Parish Council of 23.04.12 and 23.05.12 show extended trading hours for Off Licences and On the premises Licences at several businesses within Findon village, to be a matter of concern to the community and the Parish Council.

vi Such a statement if made, using the words as alleged or similar, was not inconsistent with the views expressed by the community in the interests of securing better social, economic and environmental outcomes for the community.

5. The Proposed Tenant assumed from the Meeting that the Subject Member was conveying the wishes of the whole of Findon Parish Council.

Finding by the Assessment Panel –

i The Proposed Tenant has not made a complaint against the Subject Member or anyone else, and the Complainant was not present at the Meeting. ii The Subject Member has confirmed in his letter to the Deputy Monitoring Officer that the Complainant was not present at the meeting between the Subject Member and Proposed Tenant

6. The effect of the Meeting was that the Proposed Tenant was left feeling very disillusioned and concerned about, the by then, considerable financial commitment and work he had committed to, for the Proposed Off Licence and Shop.

Finding by the Assessment Panel –

i The Subject Member has confirmed in a letter to the Deputy Monitoring Officer that the Complainant told the Subject Member that he had offered the Proposed Tenant a 6 month rent free period, which could be extended if necessary.

ii The Proposed Tenant has neither confirmed or denied that he was left feeling very disillusioned and concerned about, the by then, considerable financial commitment and work he had committed to, for the Proposed Off Licence and Shop.

iii The Proposed Tenant has not made a Complaint that the Subject Member failed to treat him with respect, or any other complaint under the local Code of Conduct.

iv The Complainant was not present at the Meeting.

7. The Subject Member brought about the Meeting without the knowledge of his fellow councillors

Finding by the Assessment Panel – Councillors have the same right as any member of the public to seek to

contact other people. The Subject Member did not need the consent or agreement of his fellow councillors to seek out and contact another person.

8. The Subject Member acted entirely on his own and without any discussion or vote being taken at any council meeting.

Finding by the Assessment Panel – The Minutes of Findon Parish Council of, 23.04.12. Item 12.34, show that the Subject Member did not act on his own and the issues relating to the Licensing applications for both the Existing Post Office and Shop and the Proposed Off Licence and Shop, were debated and decided upon by Findon Parish Council.

9. After the proprietors of the Existing Post Office and Shop voiced their concerns about the Proposed Off Licence and Shop opening, the Subject Member has used his position to maintain an advantage for the operators of the Existing Post Office and Shop,
 - a. by the actions in paragraphs 1 to 8 above,
 - b. by the Subject Members Report in the Parish Council April/May News Letter,
 - c. A copy of the Subject Members Report was posted in the window of the Existing Post Office and Shop,
 - d. The Subject Members Report has created a divisive situation giving the clear message that the Parish Council only supports the Existing Post Office and Shop and is damning of the Proposed Off Licence and Shop,

Finding by the Assessment Panel –

National Principle 1 Selflessness: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

i The Panel have not found any evidence that would indicate that the Subject Member, his family or friends have gained financially or materially benefitted in any other way by the decision of Findon Parish Council to object to the Licencing application by the Proposed Tenant.

ii The Panel have not found any evidence that would indicate that the Subject Member, his family or friends have gained financially or materially benefitted in any other way, from the Meeting with the Proposed Tenant.

iii The Subject Members Report informed the public about the response from Arun District Council Licensing Committee to Findon Parish Council's objection, which was that the Parish Council's objection on the grounds

that the application for the Proposed Off Licence for an alcohol off-sales licence during the hours of 7am-10pm would be excessive and potentially anti-social to the village in general and local residents in particular, was not accepted. The Panel do not find that the above amounts to the Subject Member maintaining an advantage for the operators of the Existing Post Office and Shop.

iv The Subject Members Report included the text "Until then we implore all villagers to support the Post Office/News agents as much as possible, as the loss of that shop would be seriously damaging to the village". The Panel is satisfied that this was a reasonable statement to the community relating to a community facility, "In other words "Use it or Lose it".

v The Parish Council April/May News Letter including the Subject Members Report, is a public document that was in the public domain and the proprietors of the Existing Post Office and Shop are entitled to display it in the window of their shop if they wish to do so, and neither Findon Parish Council or the Subject Member have any control over the proprietors decision to do so.

vi The Panel is satisfied that there is nothing damning in the text of the Subject Members Report in relation to the Licensing application for the Proposed Off Licence and Shop. The text repeats the substance of the application which is public information, the text of Findon Parish Council's objection and the Arun District Council decision on the Licensing application, that; Findon Parish Council's objection was summarily rejected on the grounds that Findon Parish Council could provide no evidence to support its objection until the Proposed Off Licence and Shop opened.

vii The Panel is satisfied that the Subject Members Report has not created a divisive situation giving the clear message that the Parish Council only supports the Existing Post Office and Shop and is damning of the Proposed Off Licence and Shop. The Minutes, of Findon Parish Council of, 23.04.12. and 23.05.12 show that the community that Findon Parish Council represents, has concerns about the impact of late hours of trading of a number of Licenced premises, on the community and the impact on one of its community facility.

10. Findon Parish Council did not submit an objection to the licensing application by the proprietors of the Existing Post Office and Shop to Arun District Council, to extend its Off Licence selling hours to the same as for the Proposed Off Licence and Shop. The Complainant alleges that this shows bias by the Parish Council against the Proposed Off Licence and Shop, under the chairmanship of the Subject Member.

Finding by the Assessment Panel –

i A parish council may comment on licensing applications to Arun District Council, but the Parish Council are not obliged to do so.

ii The Complainant does not say whether the Meeting with the Proposed Tenant took place before or after the meeting of Findon Parish Council on 23.04.12. The Subject Member has confirmed that the meeting took place in the last week of April 2012, which would be between Monday 23.04.2012 and Sunday 29.04.2012. In either event, Section 25 Localism Act 2011 provides that;

(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because –

(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision maker took, or would or might take, in relation to a matter, and

(b) the matter was relevant to the decision.

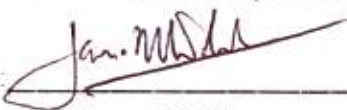
iii The Minutes of Findon Parish Council of, 23.04.12. and 23.05.12 show that the Off Licence applications to Arun District Council were debated and decisions were made by Findon Parish Council. The Panel have not received any evidence that would indicate that the Subject Member had a closed mind or that the individual members that constituted Findon Parish Council when it made its decision did not each exercise their own judgement on how to vote.

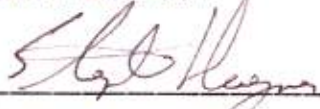
DECISION

For the reasons set out above the Panel found there to be no breach of the Code of Conduct by the Subject Member.

Dated: 9th October 2013

Signed: 
– Councillor Andrew Evans (Chairman)

Signed: 
– Councillor James Walsh

Signed: 
– Councillor Stephen Haymes

Members of the Assessment Panel

Arun District Council, The Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF

~~Assessment Panel considering this matter are in the Arun District Council's Local Assessment Procedure, a copy of which is available from the Council's website.~~

Right of review

If either the Complainant or the Subject Member considers that the Assessment Panel's decision is not fair or proportionate, they can appeal within 20 working days from the date of the Decision Notice, stating why they consider the Assessment Panel decision is not fair or proportionate.

The request must be in writing to the Monitoring Officer.

The Monitoring Officer will check the reasons given in the request for the review and if those reasons are not clear, the Monitoring Officer shall write back to the party requesting the review and ask for clarification. The review will be referred to the Standards Committee for a decision. There are not further rights of appeal within the Council's Local Assessment Procedure.