

BECKLEY PARISH COUNCIL
Minutes of the Parish Council meeting held at Beckley Village Centre
on WEDNESDAY 11 APRIL 2018 at 7.30pm

PRESENT: Councillors Christopher Broadbent (CB) Chairman, Mrs Lauren Dobson (LD), Mrs Deborah Ongley (DEO) Vice Chair, Mrs Sue Evans (SE) Mrs Tina Langmead (TL), Mrs Rebecca Parsons (RP) and Mike Rowe (MRO).

IN ATTENDANCE: Cllrs Ms Angharad Davies (ESCC), Ian Jenkins (IJ) and Martin Mooney (MM) (RDC).

1. **Public Questions** – to allow questions (10 minutes) from members of the public following which they may leave the meeting if they wish, but must remain silent if they stay. A further period of public question time is allowed at the end of the meeting. **Names of those speaking will be recorded and reported in the minutes.** A resident said he intended to apply for planning permission to build a home on the site of an abandoned/demolished building on his land. He asked if the PC would visit the site ahead of the application. PC response was that they were willing to visit but would still have to appraise the application when it was presented according to the usual criteria.
2. **Reports from County, District and Parish Councillors.**

AD – presented in writing – she stressed the point about savings required on the waste service and requested that the PC respond to the public consultation process.

MM – report submitted in writing – he elaborated on the item related to standards in public life. A consultation runs until May 18th and he asked that the PC submit views.

IJ – said he had had calls re tree felling and land clearance in Whitbread Lane. SE replied that this was land opposite her home and was being aggressively cleared and levelled. There is no indication of purpose and a landowner can clear their land unless there are protected trees on it – which there aren't. He also touched on the news that Wealden Council is restricting development within 30 miles of the Ashdown Forest to avoid pollution. This will put further strain on the need for additional housing in the whole county.

TL asked when the main Rye Road would be resurfaced, as the previous scheduled works had been cancelled. AD will take this up.

MRO said that the ESCC website has a link to the PC which is erroneous and needs updating.

DEO raised the issue of waste removal – people are unsure if they can put all waste in one bin rather than separating since it all goes into the same truck. IJ said a new contract would be put in place and things would become clearer then, meanwhile keep separating. She noted that the post for the village sign was up and there would be a ceremony when the sign itself is mounted.
3. **Apologies for absence were received and accepted from Mrs Ades, Clerk, holiday leave,**
4. **Declarations of interests whether personal or personal/pecuniary in accordance with the current Code of Conduct regarding matters on the agenda.** None.
5. **To consider and approve** the signing by the Chairman of the minutes of the PC meeting of 14.03.18. Two typing errors were corrected then the minutes were agreed and signed by CH.
6. **PLANNING – to consider any planning applications** received from RDC and any other planning matters.

RR/2018/674/P Del - Beckley Motors, Main Street. Variation of condition 2, 9, 12 and 13 imposed on RR/2017/510/P to reflect minor amendments to the design of the development. Already approved, no need for discussion.

RR/2018/844/P Del - 1 Church Cottages, Church Lane. Conversion of existing stable building (part) to arts/crafts units. – primarily a change of use not planning. Approved unanimously.
7. **Matters arising:-**
 - a i. **Playground equipment and funding** – team report. Delay to installation because of sodden ground. Likely mid May. Opening at fete on June 30th. Noted that a ROSPA inspection will be needed before opening. (Clerk to arrange). Finances: there is enough to pay for the kit but the outstanding costs are the fence and path.
 - ii. **Footpath from Main Street to play area on the Jubilee Field** – quotes £9K - £11,300. Consider any other options. Quotes are 9k to 11k. So 8k short. LD is submitting application for an NFU grant. CB and Robin Evans are taking over the supply of materials in order to get as much for nothing or significantly reduced rates. This is estimated to cut 4k off the bill. A raffle is being organized. Cllrs have all donated prizes.
 - b **Speed watch** – March results. No report this month. Noted that the police have replied re request for speed traps but not turned up yet. Clerk to chase.

- c **Banking** – MRO to advise on suggested changes to the current banking arrangements. With the closure of Natwest in Rye it was agreed to open an account with Lloyds. MR has discussed with them and they are willing to help. Free banking, plus on-line facility plus debit card (in name of entity not individual which means clerk can use). Clerk to take up – and add to May agenda.
 - d **War Memorial** – condition considered good.
8. **Fix my street** – IJ. There is confusion about this. Fix my Street is not an official site – it is run by an NGO and intended to act as a pressure on local authorities to move quicker. ESCC has a direct link so this should be put on the PC website to replace the ‘fix my street’ link.
 9. **Verge grass cutting in the village** – consider options and response to RDC. ESCC doing two cuts instead of 6 pa. RDC have offered to take up the slack for one year until PCs can decide how they will handle. Decision not needed until approach 2020.
 10. **Radar mph speed signs** – advantages of purchasing. New signs are up. Flashing signs will have to wait until there are funds.
 11. **Damage to tennis court fence** – update. Clerk is attending to insurance claim.
 12. **Parish Assembly – set for Wednesday 16 May 2018 - 7.30-9.30pm in the Village Hall.** Consider and agree agenda to be published early May 2018. A draft agenda is in play – requires shortening. Cllrs will provide nibbles but not Full English as before.
 13. **Local Council Public Advisory Service.** Consider for approval the appointment for 12 months at a cost of £150 to act as the PC’s Data Protection Officer re the GDPR. MRO to advise. He has worked with the Clerk re the requirement for a Data Protection Officer. It was agreed to subscribe £150 pa to the Local Council Public Advisory Service to deliver this service. Link - <http://www.lcpas.co.uk/data-protection-officer-service.php>
 14. **Accounts** for approval (*VAT, if applicable, shown for items exceeding £100*).

Recipient	VAT £	Total £	Recipient	VAT £	Total £
BVH - Committee Room 14.2.18		12.00	Netwise - website upgrade.		95.07
Mrs M Lenton bin emptying		50.00	Good Food refund of their credit		26.59
Admin costs		661.00	Local Council Public Advisory Service		150.00

Approved – proposed LD, seconded SE.

15. **Matters** for consideration as an agenda item for the next meeting.
16. **Public questions** - not to exceed 15 minutes. Query re need for a license if raffling alcohol. Resolved because will all be in one place
17. **Date of next meeting - Annual Meeting - Wednesday 9 May 2018 commencing 7pm.**

ESCC Report for Parish Councils April 2018 Angharad Davies

The public are being asked for their views on Waste and Recycling. Reductions in government funding and rising demand for services means that ESCC has to save £17m in 2018/19. The waste service annual budget will be reduced by £720,000, of which, savings of £558,000 will need to be made in 18/19. "It costs nearly £10m a year to run our 12 household waste recycling sites and to recycle and dispose of the waste". Opening hours are up for discussion, with residents charges, and possible closures at Forest Row and Wadhurst. **Please give your views.** The consultation lasts till May 15th 2018 at www.eastsussex.gov.uk/haveyoursay To request the document call 0345 6080194

People in East Sussex are being urged to have their NHS Health Check at their local GP surgery. The check which aims to lower the risk of developing type 2 diabetes, heart disease, stroke, kidney disease, and dementia is offered to people aged 40-74 who don't already have one of those conditions. Please arrange an appointment when you can.

Artwork designed by a world renowned illustrator, Sir Quentin Blake, is on show at the Children's Library which has relocated to the Brassey Institute. Hastings Library was recently reopened on March 2nd after a multi-million pound revamp which has protected and enhanced this historic building. The library will now be an important asset to the town.

Bexhill College students have been inspired by an insight into the world of work. They were challenged to work with Marshall Tufflex to produce a video highlighting the work of the county's employers in supporting the skills agenda as part of the East Sussex Enterprise Adviser Network (EAN). The assignment was described as a brilliant experience for students to develop new skills and build confidence.

Southover Grange, which is a Grade 2 listed 16th century manor house in Lewes is now offering arrangements for funerals, wakes, and remembrance services from April 1st 2018. Southover Grange is home to Lewes Register Office and already hosts weddings, civil partnerships and other ceremonies. It reopened last year after a £1.5m refurbishment. Cremations and burials have to be organised at an alternative location. Contact 0345 60 80 198 or funerals@eastsussex.gov.uk

Travel projects encouraging walking or cycling to work, training, or education, could benefit from up to £5000. Community groups, schools and colleges, and Not-for-Profit organisations have until May 1st 2018 to apply for a share of the £50,000 Active Access for Growth Community Fund (AAfG).

This is an ESCC Community Fund, administered by Sustrans, and is part of the AAfG programme which promotes healthy active travel in East Sussex. Funding comes from the Department for Transport access fund following a successful bid from ESCC.

For more information contact marina.littek@sustrans.org.uk or aafg@eastsussex.gov.uk

Rother District Council – report submitted by Cllr Mooney – April 2018

AS180326 – Local Gov Ethical Standards 1

Rother District Council Agenda Item: 5.2

Report to - Audit and Standards Committee

Date - 26 March 2018

Report of the - Monitoring Officer

Subject - Review of Local Government Ethical Standards:

Stakeholder Consultation

Recommendation: It be **RESOLVED:** That

- 1) the Audit and Standards Committee consider and contribute to the formulation of the Council's response to the Committee on Standards in Public Life's review of local government ethical standards stakeholder consultation; and
- 2) the Monitoring Officer be authorised to finalise and submit this Council's response in consultation with the Chairman of the Committee.

Service Manager: John Collins

Introduction

1. The Committee on Standards in Public Life (CSPL) is undertaking a review of local government ethical standards. As part of the review the CSPL is holding a public stakeholder consultation which launched on 29 January and runs until 18 May 2018.

2. Views are invited from all levels of local government and other stakeholders, including the public. All Parish and Town Council Clerks across the district were alerted to the consultation on 21 February and invited to respond direct,

if they are so minded.

3. The Terms of Reference for the review are to:

a) examine the structures, processes and practices in local government in England for:

- maintaining codes of conduct for local Councillors;
- investigating alleged breaches fairly and with due process;
- enforcing codes and imposing sanctions for misconduct;
- declaring interests and managing conflicts of interest; and
- whistleblowing;

b) assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;

c) make any recommendations for how they can be improved; and

d) note any evidence of intimidation of Councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

AS180326 – Local Gov Ethical Standards 2

4. A copy of the consultation questions are attached at Appendix A and officers' initial thoughts are contained therein. The Committee is invited to discuss each of the questions and provide feedback. It is suggested that the Monitoring Officer draft the consultation response based on the comments provided, and circulate a copy to the Committee Members for comment, before finalising it in consultation with the Chairman of the Committee. The deadline for submitting the response is 18 May 2018.

Conclusion

5. The CSPL is undertaking a review of local government ethical standards and the Committee is requested to contribute to the formulation of the Council's response which needs to be submitted by 18 May 2018. The Committee is invited to authorise the Monitoring Officer to finalise and submit this Council's response in consultation with the Chairman of the Committee.

John Collins

Monitoring Officer

Risk Assessment Statement

There are no direct risks to the authority. Failure to contribute to this consultation exercise leaves the Council unable to exert any influence over future national policy / initiatives in ethical standards matters which may result from this consultation.

Appendix A: Review of Local Government Ethical Standards: Stakeholder Consultation

AS180326 – Local Gov Ethical Standards 3

Appendix A

Committee on Standards in Public Life

Local Government Ethical Standards: Stakeholder Consultation

Consultation Questions

a. Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why.

Yes. Although the high profile that the Standards Committee previously enjoyed at Rother District Council under the former regime which required a stand-alone Standards Committee, chaired by an independent co-opted (non-councillor Member) is no longer present.

Whilst the concept of localism is welcome, allowing all councils (including town and parishes) to adopt their own codes (including the minimum requirements), has inevitably lead to inconsistencies of approach, particularly at parish council level.

The majority of complaints that are handled by Rother District Council relate to parish councillors' conduct and it is considered that this is due, in part, to a lack of visibility, training and awareness of standards matters for both Parish Clerks and Parish Councillors.

b. What, if any, are the most significant gaps in the current ethical standards regime for local government?

Whilst not an issue at Rother District Council to date, there is a lack of adequate sanctions for more serious breaches of the Code of Conduct. The Council is no longer able to suspend a Councillor, as under the previous regime, nor is there any mechanism to disqualify a Councillor during a sitting term or from standing for reelection in the future for poor conduct.

It is recognised that Councils can chose to operate their assessment of complaints as they see fit, and generally the streamlining of the bureaucracy around the previous process was welcome. However, it is possible that by allowing Monitoring

Officers to undertake the initial assessment of all complaints, without any consultation with Standards Committee Members, removes the ownership and selfpolicing aspect from the Members themselves – they are no longer part of the process and could feel detached from it.

As mentioned at point a) above, the majority of complaints arise from the Town and Parishes across Rother District Council. There should be a mechanism by which Councils who are responsible for providing this service for town and parish councils are able to reclaim the actual costs of dealing with complaints in cases where a breach of the code was ultimately found following an investigation and subsequent hearing. This could help improve town and parish councillor conduct as poor conduct could have a financial implication and the parish council would have a vested interest in making sure that councillors abided by the code of conduct. If such provision was allowed, this would need careful consideration / handling so as not to be seen as the principle Council trying to discourage genuine complaints on financial grounds.

AS180326 – Local Gov Ethical Standards 4

Codes of Conduct

c. Are local authority adopted codes of conduct for councillors clear and easily understood? Do the codes cover an appropriate range of behaviours? What examples of good practice, including induction processes, exist?

No. Rother District Council adopted the old national code, amended to include the provision for Disclosable Pecuniary Interests and also kept personal and prejudicial interests. Much of the terminology is difficult to understand and is written in the context of “you do not have” and giving examples rather than “you do have” which may be clearer to understand. Whilst it is in the gift of the Council to amend its Code of Conduct so that it is more easily understood, this has not been undertaken to date.

The Council’s current Code of Conduct does not address specifically the increased use of social media, although poor behaviour of this nature would tend to fall under the general obligations within the Code. The Council has however adopted a Staff Social Media Policy in 2015 which also applies to Councillors.

All Councillors receive training on the Code of Conduct as part of the Induction Process and again during the term of office of the Council; some Councillors proactively seek advice on Code matters prior to committee meetings and advice is also provided to Councillors prior to meetings when officers are aware of potential conflicts, for example at Planning Committee.

d. A local authority has a statutory duty to ensure that its adopted code of conduct for councillors is consistent with the Seven Principles of Public Life and that it includes appropriate provision (as decided by the local authority) for registering and declaring councillors’ interests. Are these requirements appropriate as they stand? If not, please say why.

It is considered that these are appropriate; the seven principles are an appendix to the Council’s Code of Conduct.

Councillors are reminded annually following the Annual Council Meeting to review their register of interests and advised on any additions / deletions not already picked up throughout the year. Members also receive regular training on the Code of Conduct and the registration of interests.

Investigations and decisions on allegations

e. Are allegations of councillor misconduct investigated and decided fairly and with due process?

Yes.

i. What processes do local authorities have in place for investigating and deciding upon allegations? Do these processes meet requirements for due process? Should any additional safeguards be put in place to ensure due process?

Rother District Council appoints an investigating officer to undertake any potential breaches of the code of conduct that warrants an investigation.

AS180326 – Local Gov Ethical Standards 5

ii. Is the current requirement that the views of an Independent Person must be sought and taken into account before deciding on an allegation sufficient to ensure the objectivity and fairness of the decision process? Should this requirement be strengthened? If so, how?

At Rother District Council the IPs are consulted on every case to ensure that the MO’s initial assessment and proposed action is objective and fair.

iii. Monitoring Officers are often involved in the process of investigating

and deciding upon code breaches. Could Monitoring Officers be subject to conflicts of interest or undue pressure when doing so? How could Monitoring Officers be protected from this risk?

As confirmed above, the MO at Rother District Council does not undertake investigations into potential code breaches. Whilst initial investigations will be made to enable the MO to make an initial assessment of each case, these initial investigations have not given rise to conflicts of interest or undue pressure to date.

Sanctions

f. Are existing sanctions for councillor misconduct sufficient?

No. See b. above.

i. What sanctions do local authorities use when councillors are found to have breached the code of conduct? Are these sanctions sufficient to deter breaches and, where relevant, to enforce compliance?

No breaches have been found since the introduction of the new regime.

ii. Should local authorities be given the ability to use additional sanctions? If so, what should these be?

See b. above. In serious cases it is considered that the sanction of suspension or disqualification should be an option. There could also be an argument for financial sanctions such as withholding allowances, including basic and any SRA and/or reclaiming allowances paid.

Declaring interests and conflicts of interest

g. Are existing arrangements to declare councillors' interests and manage conflicts of interest satisfactory? If not please say why.

i. A local councillor is under a legal duty to register any pecuniary interests (or those of their spouse or partner), and cannot participate in discussion or votes that engage a disclosable pecuniary interest, nor take any further steps in relation to that matter, although local authorities can grant dispensations under certain circumstances. Are these statutory duties appropriate as they stand?

Yes.

ii. What arrangements do local authorities have in place to declare councillors' interests, and manage conflicts of interest that go beyond AS180326 – Local Gov Ethical Standards 6 the statutory requirements? Are these satisfactory? If not, please say why.

At Rother District Council, there is a specific agenda item on each formal meeting agenda where Councillors are required to declare any interests that they have at the meeting and to which Agenda Item it relates. Councillors also have to re-declare at the commencement of that item and leave the room, if necessary. Members are required to complete a Declaration of Interest form and this is filed and comprises the register of members' interests. All declaration of interests made at meetings are minuted. Having retained the "old" Code of Conduct, modified to incorporate DPIs, the conflicts that go beyond the statutory requirements are captured under the "old" personal and prejudicial interests, for example a planning application that relates to a relative, as prescribed under the old Code.

Whistleblowing

h. What arrangements are in place for whistleblowing, by the public, councillors, and officials? Are these satisfactory?

The Council has a Whistleblowing Policy (last updated December 2015) designed for use by all employees of the Council (including agency staff, trainees and volunteers), independent consultants, contractors, suppliers, Councillors and members of the public.

Links to this policy are provided on the Council website along with information on how to raise a concern. Options include contacting a designated officer, phoning a confidential fraud hotline, emailing audit@rother.gov.uk or completing an online Whistleblowing Form. All calls (and voicemail messages) received on the Fraud Hotline, fraud emails and whistleblowing forms are monitored by the Audit Manager and handled in the strictest confidence.

The [East Sussex Counter Fraud Hub](#) also includes links to the whistleblowing information on the Council's Report a Fraud [webpage](#).

The Audit Manager periodically emails all staff and Members to raise awareness of the whistleblowing arrangements but more could probably be done to inform the general public.

Improving standards

i. What steps could local authorities take to improve local government ethical standards?

Continued training for Members and officers on the Code of Conduct (clearly defined national examples of the types of breaches would assist with this). The same goes for Declarations of Interest – examples so that Members can understand the reasons for declaring.

Monitoring Officer attendance at parish and town council meetings to disseminate training and advice on standards matters and/or provision of an annual training session for Clerks/Parish Councillors at the local authority.

AS180326 – Local Gov Ethical Standards 7

j. What steps could central government take to improve local government ethical standards?

The re-introduction of a national code – so that every elected Councillor is following the same rule book; the abolition of the Standards Board for England has left a void and no central point of contact for advice / guidance / sample case studies etc. to see what sanctions are appropriate for what breaches. Current arrangements are not clear enough.

Intimidation of local councillors

k. What is the nature, scale, and extent of intimidation towards local councillors?

Whilst it is not considered a significant problem in Rother District Council, Councillors have complained about feeling intimidated at Council meetings and when attending public meetings, particularly when controversial items are being discussed. Social Media has also contributed to this problem. Offensive letters have also been printed in the local paper and some Councillors have experienced harassment by local residents. Members who serve on the Council's Planning Committee have also experienced lobbying which has bordered on intimidation from residents in respect of the determination of planning applications.

l. What measures could be put in place to prevent and address this intimidation?

At RDC a review of the seating arrangements was undertaken to ensure that the public were not sitting directly behind the Councillors and where possible so no councillors are sitting with their back to the public gallery. The local police are alerted if there is to be a large public presence, which potentially may be hostile. Further issues could include keeping councillor contact information confidential and only providing the Town Hall address for correspondence; making sure that procedures are in place to support Councillors who are intimidated; and ensuring that measures are taken against members of the public who continue to intimidate Councillors, for example barring them from Council meetings or contacting the local Councillor (this may have to involve the local police).