

Burwash Parish Council

Campaigning Groups Policy – Adopted 10/11/15

Introduction

1. Parish Councils are statutory bodies with duties and obligations. They are empowered to raise a precept to enable the Parish Council to discharge its duties and responsibilities to the Community. It does not envisage that public money will be used to pay subscriptions to campaigning organisations, although it would not, as such, be considered as unlawful expenditure.
2. The real issue with membership of a Campaigning Group is that it could interfere with the Parish Council's ability to make decisions openly and without bias. Parish Councils should not be seen to have a bias or pre-determine decisions. Parish Councils are expected to have an open mind when considering any matter, up to the point of voting. To do otherwise results in a flawed decision and a decision that could be challenged.

Parish Council as a Members of Campaign Groups

3. As a member of a Campaigning Group, the Parish Council would be effectively making a statement that it supports the Group's objectives and this, in turn, implies that the Town Council will vote in favour of those objectives in any matter where the objectives are material to the decision. Hence the Council will be perceived to have a 'closed mind' to any other decision.
4. The local community's interests are best served by the Parish Council leaving itself free to consider any matter unfettered when it can take into account all material matters including the views of all interested parties. This is not only good governance, but avoids the risk of challenge to its decision.

Councillors as Members of Campaign Groups

5. Individual Councillors need to consider both the bias/pre-determination and the Members Code of Conduct. The Localism Agenda relaxed the rules on both, recognising that councillors are representative of their Community and must have some flexibility in being able to express their views without it interfering with their duties in the Council.
6. That said, there are still 'rules' to which councillors, in their own interests and the interest of the Parish Council, need to have some regard.

Predetermination/bias

7. Membership of a campaigning group does not preclude a councillor from conducting Council business and making decisions. When a member has been involved in campaigning in their political role which does not impact on their personal and/or professional life, a member should not be prevented from participating in a decision in their political role as a councillor. However, a member should not place themselves under any financial or other obligation to

outside individuals or organisations that might seek to influence them in the performance of their official duties.

8. However, a Councillor must be seen to be open to other views and not have made up his/her mind before the matter is considered in any formal Council Meetings. If she/he has shown a pre-determination and/ or bias then the councillor can speak at the Meeting, but not vote. It is the action of voting where there is evidence of pre-determination or bias which could result in the decision to be challenged.

Members Code of Conduct

9. A Councillor, who is a member of a campaigning group, must have an 'eye' to their Council's Code of Conduct. A Member needs to check that they do not have, as a result of membership of any organisation, any direct financial interest in a matter being considered by the PC. Further, if the Councillor has registered his membership of a campaigning group as an 'other interest' the Councillor must have due regard to the Parish Council's adopted Code of Conduct as to the action, if any, the Member needs to take by way of declaration of interest.