

STANDARDS COMMITTEE  
23 SEPTEMBER 2004

REPORT OF THE MONITORING OFFICER

LAND OWNERSHIP INTERESTS AND ASHFORD'S FUTURE DEVELOPMENT

1. In view of the ongoing masterplanning work in relation to Ashford's Future, which includes consultation events for Councillors and others, I thought it timely to write to all Councillors to remind them about the Council's Code of Conduct and the need to be alert to possible conflicts between this work and their personal interests. I attach a copy of the letter for members' information. A copy was sent to all Parish Clerks to bring to the attention of their Parish Councillors.
2. Not surprisingly the letter has generated some lively responses from both Borough and Parish Councillors and I will be responding to the various queries. The important thing is that the letter has ensured Councillors at both levels are addressing their minds to the issue and seeking advice which will hopefully help avoid future problems in the few cases where conflict is likely to arise.
3. FOR INFORMATION ONLY

HEAD OF LEGAL AND DEMOCRATIC SERVICES  
MONITORING OFFICER

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Dear «Dear»

**LAND OWNERSHIP AND DEVELOPMENT**

As you will know, the Borough Council and its partners are currently undertaking and commissioning major studies into the possible options for growth of the town. Some of this work has already been the subject of targeted consultation and understandably is now the subject of some public discussion and debate. Whilst the work is ongoing and there are, as yet, no preferred options for growth, I have decided to write to all Councillors about the Borough Council's Code of Conduct, to remind them of the need to be aware of personal interests in any such discussions and to take appropriate action should such interests arise. The most obvious personal interest would be land ownership interests which might be directly affected by the various growth options under consideration.

Whilst it is not possible to lay down rigid rules, my advice is that any Councillor who owns or occupies land which is either likely to be a potential location for development or is likely to be significantly affected by such development should normally regard himself/herself as having a personal interest in any discussion whether on the principle or the detail of possible growth options. That interest will normally be "prejudicial" under the Code of Conduct and that means the Councillor should not take part in or be present at any such discussions and should not seek to improperly influence colleagues behind the scenes. This would apply to meetings at Borough Council or Parish Council level and indeed to any political group discussions or workshop events arranged to facilitate debate.

It is clearly in the interests of individual Councillors and the Council as a whole that we all remain alive to the need to avoid conflict with personal interests as the options for Ashford's future growth begin to emerge and generate public consultation and debate. I anticipate that some Councillors may be unsure about their own individual position regarding the Code in this context. Every Councillor should feel free to contact me in confidence should they be unclear or wish to discuss the matter further.

Yours sincerely



T W Mortimer  
Head of Legal and Democratic Services  
and Monitoring Officer