



**BOARD OF CONSERVATORS OF ASHDOWN  
FOREST  
STANDING ORDERS**

**AGREED at the meeting of the Board of  
Conservators of Ashdown Forest  
Monday 13 March 2017 (07.05/17)**

Ashdown Forest Centre, Wych Cross,  
Forest Row, East Sussex RH18 5JP  
01342 823583  
conservators@ashdownforest.org  
www.ashdownforest.org

**STANDING ORDERS**

1. MEETINGS OF THE BOARD OF CONSERVATORS	2
2. ORDER OF MEETINGS	2
3. CONDUCT OF MEETINGS	3
4. MOTIONS	3
5. COMMITTEES	3
6. EXECUTIVE COMMITTEE	4
7. WORKING PARTIES	5
8. CONDUCT	5
9. DELEGATION TO THE DIRECTOR	6
10. DELEGATION TO THE CLERK	6
11. DELEGATION TO THE FINANCE OFFICER	6
12. CUSTODY OF THE BOARD'S RECORDS	6
13. SUSPENSION OF STANDING ORDERS	6
14. APPROVAL OF STANDING ORDERS	6
APPENDIX 1. FORM OF ACCEPTANCE TO THE BOARD	7
APPENDIX 2. CODE OF CONDUCT	13

## **1. MEETINGS OF THE BOARD OF CONSERVATORS**

- 1.1 Board Meetings shall normally be held at the Ashdown Forest Centre four times a year in the months of March, June, September and November.
- 1.2 The Board shall elect a Chairman and Vice Chairman at the June meeting each year (after local authority elections) to hold office for 12 months from that meeting. The Chairman and Vice Chairman shall remain in office for one year and be eligible for re-election. No Chairman or Vice Chairman may serve for more than three years in succession and shall not be eligible for election to the same office for three years. Unless agreed otherwise the Chairmanship shall alternate between Conservators elected by Commoners and Conservators appointed by Local Authorities. Voting in the election of the Chairman or Vice Chairman where there is a contest will be held by secret ballot.
- 1.3 For Board members unable to attend the Board's Annual meeting in June at which meeting elections take place, those Board members will be permitted to cast their vote for the Chairman and Vice Chairman by post, provided their vote is received by the Clerk no later than 2:00pm on the day of the Board's Annual meeting in June.
- 1.4 If the Chairman resigns or is incapable of acting, the Vice Chairman shall act as Chairman until a new Chairman has been elected. If both the Chairman and Vice Chairman are absent from any meeting at the appointed time, the Conservators present shall appoint one of their number to act as Chairman instead.
- 1.5 Except as provided in 6. Executive Committee below, notice of every meeting and the agenda of the business to be transacted shall be sent to Conservators at their usual address seven clear working days in advance, by post, by hand, or, with the prior agreement of the Conservator(s) concerned, by electronic mail.
- 1.6 Six Conservators shall form a quorum. If, 20 minutes after the appointed start of a Meeting, a Quorum is not present, the Meeting shall be adjourned.
- 1.7 If, when setting agendas, it is clear that there is no decision to be made, the Clerk and the Chairman shall either defer a meeting or schedule a site visit or seminar instead (see also 5.13).
- 1.8 If a site visit or seminar is convened as part of a Board meeting it shall be conducted according to Standing Orders.

## **2. ORDER OF MEETINGS**

Each Board and Committee Meeting will be open to the public. The public may ask questions for a total of ten minutes before the start. In addition to the above, members of the public may submit questions in writing, not less than 14 days before the relevant Board or Committee meeting. These should be sent to the Forest Centre for the attention of the Clerk or the relevant Chairman. The questioner should state whether a written or verbal reply is required. If the latter, it will be given during the 10 minute period provided the questioner is present. It is not envisaged that supplementary questions would be allowed, unless time permitted. While public comments may be minuted, they do not form part of the Meeting. Except when the Board resolves otherwise, the business of the Board shall be conducted in the following order.

- 2.1 Present and Apologies. The minutes shall record the names of Conservators and Officer(s) present, the Conservators signing in the Attendance Book, and of those who have submitted apologies for absence.
- 2.2 Notice by the Chairman of any urgent business items.
- 2.3 Declarations of Interest if appropriate (see 3.2 and 8).
- 2.4 To approve the minutes of the previous Board Meeting which, if agreed by the Board to be accurate, shall be signed by the Chairman.
- 2.5 To discuss any matter arising.
- 2.6 The set agenda shall then be followed.
- 2.7 To review, in chronological order, those Committee decisions challenged by at least 25% of the Board (see 5.8) within seven days of their circulation (by email), and any changes of policy proposed by Committees. The Board itself does not need to approve Committee minutes (see 5.8).

- 2.8 Urgent business items as indicated under 2.2 shall be discussed.
- 2.9 No business shall be transacted at a Board Meeting except in accordance with the notice of the Meeting and agenda as set out in 1.4 or urgent business notified by the Chairman in accordance with 2.2.

### **3. CONDUCT OF MEETINGS**

- 3.1 No meeting will be recorded unless a request has been made to the Chairman beforehand and a majority of those present agree that the meeting will be recorded. Any resulting recording will remain the property of the Board and in possession of the Clerk. Any transcript will remain confidential until the Board has agreed the Minutes of meeting
- 3.2 All resolutions at Meetings shall be determined by a show of hands of the Conservators present, unless a formal division be demanded by two Conservators, in which event the names of those voting shall be recorded in the minutes. When there shall be an equal number of votes on any question, the Chairman may give a second or casting vote, or determine that it be not carried. 3.3 Conservators will conduct themselves in accordance with the Code of Conduct as shown in Appendix 3.
- 3.4 Conservators may require that their vote be recorded in the proceedings.
- 3.5 Points of order arising at a Board Meeting shall be decided by the Chairman, whose ruling shall not be called in question at such Meeting.
- 3.6 Meetings shall be open to the public unless the Board by resolution goes into Closed Session and excludes the public for the whole or part of the proceedings on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.
- 3.7 Members of the public may address questions to the Board for a total of ten minutes at the beginning of Meetings.

### **4. MOTIONS**

- 4.1 Every motion, or amendment to it, shall be moved and seconded, and discussion shall be strictly directed to the proposal itself.
- 4.2 Every motion, or amendment to it, shall be read out by the Chairman before it is put to the meeting.
- 4.3 No Conservator shall speak more than once upon any motion or amendment except by leave of the Chairman, and then only in explanation, but the mover of the original motion shall have the right to reply. The reply shall be strictly confined to answering previous speakers, and shall not introduce new matter.
- 4.4 Every motion shall be relevant to some matter in relation to which the Board has powers or duties and every amendment shall be relevant to the motion to which it is moved.
- 4.5 Any motion “to proceed to the next business”, “that the Board do now adjourn”, or “that the debate be now adjourned” can be moved at any time bring a debate whether there be any amendment under discussion or not. Such motion shall be moved, seconded and put by the Chairman without discussion.
- 4.6 If a motion “to proceed to next business”, “that the Board do now adjourn”, or “that the debate be now adjourned”, be put and lost, the same motion shall not be moved again within the period of thirty minutes without the leave of the Chairman.
- 4.7 No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed. When any such motion or amendment has been disposed of by the Board, it shall not be open to any Conservator to propose a similar motion within a further period of six months.

### **5. COMMITTEES**

So far as applicable, these Standing Orders shall govern the proceedings of all specialist Committees and the Executive Committee.

- 5.1 Specialist Committees shall be appointed at the annual June meeting of the Board. Each specialist Committee (for Executive Committee, see 6) shall consist of at least five Conservators and the Chairman and Vice Chairman of the Board *ex officio*.

- 5.2 Subject to the agreement of those nominated, the composition of each Committee of the Board shall be proposed by the Chairman and Vice Chairman of the Board for approval by the Board, taking into account the preference for such approval at the June Board Meeting.
- 5.3 Each Committee shall elect its Chairman and Vice Chairman at its first Meeting following appointment of the Committee members by the Board. If, because of the timing of elections or other eventualities, a Committee has neither Chairman nor Vice Chairman, the Committee shall, subject to 5.4, elect a Chairman who shall act as such until the next Board meeting. The Chairman and Vice Chairman shall remain in office for one year and be eligible for re-election. No Chairman or Vice Chairman may serve for more than three years in succession and shall not be eligible for election to the same office for three years.
- 5.4 At every Committee three Conservators shall form a quorum, unless the Board shall otherwise direct.
- 5.5 Each Committee may co-opt representatives of outside bodies who shall not have the power to vote; at least two thirds of each Committee, however, shall be Conservators. Each Committee may also invite advisers to attend meetings where appropriate and at the Chairman's discretion.
- 5.6 The following shall be the ordinary Committees of the Board, their number and remit being determined from time to time by the Board: 1) Finance and General Purposes, 2) Roads, Planning and Amenity, 3) Conservation and 4) Forest Centre Development. Each Committee shall make all decisions on the implementation of existing policy on matters within their terms of reference (see 5.10).
- 5.7 Only the decisions from each Committee meeting shall be circulated to the Board as a whole (by email suffices) and these shall stand unless challenged by at least 25% of Board members within seven days of circulation by email (see 2.7), in which case the decisions shall be called to the next Board meeting.
- 5.8 Otherwise only proposed changes of policy shall need to be discussed at Board level.
- 5.9 The delegated powers of the Committees are:
- Finance and General Purposes (FGP): To exercise all the powers and duties of the Board in respect of routine financial matters, and general matters relating to the Board and the Committees and management of the Forest that do not naturally fall to other Committees.
- Roads, Planning and Amenity (RPA): To exercise all the powers and duties of the Board in respect of access roads, tracks, buildings, waste, planning, bye-law infringements, information provision (including interpretation, education) and amenity use of Ashdown Forest.
- Conservation: To exercise all the powers and duties of the Board in respect of the conservation, management and wildlife of Ashdown Forest.
- Forest Centre Development (FCD): To progress the Board's decision to develop the Forest Centre and to produce a project plan for the agreed option.
- 5.10 The agenda for the Committees shall be decided by the Clerk and Committee Chairman as far as practicable following Standing Orders in paragraph 2. Any Conservator may, not less than three working days prior to the issue of the agenda in accordance with order 1.4, put forward an item of business to be included on an agenda for a Committee.
- 5.11 The Meetings of Committees shall normally be held after each Board Meeting and before the next following Board Meeting, to take place at the Ashdown Forest Centre except by agreement between the Clerk and the Committee Chairman.
- 5.12 If, when setting agendas, it is clear that there is no decision to be made, the Clerk and the Committee Chairman shall either defer a meeting or schedule a site visit or seminar instead (see also 1.6).
- 5.13 If a site visit or seminar is convened as part of a Committee meeting it shall be conducted according to Standing Orders
- 5.14 All Conservators shall receive notice of ordinary Committee Meetings and shall be entitled to attend and may speak by permission of the Chairman. Only members of the Committee shall be entitled to vote.

## **6. EXECUTIVE COMMITTEE**

- 6.1 The Chairman and Vice Chairman of the Board and the Chairmen of the four Committees shall consider

business as an Executive Committee on an 'as and when' basis. The Committee's role is one of forward planning and strategy.

6.2 The quorum for this Meeting shall be three and must include the Chairman and / or Vice Chairman.

6.3 All recommendations to be referred to the full Board.

6.4 This Committee may also act as an Urgency Committee should the Chairman of the Board, or the Vice Chairman if the Chairman be unavailable, decides.

6.4.1 No decision shall be made or instructions issued under this Standing Order that are contrary to an expressed resolution of the Board or an established practice.

6.4.2 Any decision shall require the unanimous agreement of the meeting. If any member of the Executive Committee does not agree a proposed decision, the Chairman, or the Vice Chairman should the Chairman be unavailable, may immediately convene a meeting of the Board by notice via electronic mail and confirmed by posted copy.

6.4.3 Any urgent decision taken shall be made known to other Board Members as soon as possible thereafter and reported to the next Board Meeting.

6.4.4 The making of an urgent decision is the sole delegated power of the Committee.

## **7. WORKING PARTIES**

The Board may appoint a working party or parties to consider matters relevant to the Board to which it may appoint any Conservator and co-opt others and shall proceed on the following terms:

- each working party shall have clear terms of reference and objectives to be determined by the Board;
- the duration and size of the working party shall be decided by the Board at the time of its appointment;
- the Clerk and / or the Director may be a member of all working parties;
- an interim report from the working party shall be made to the Board by a Member or the Clerk at a time to be agreed, and a final report shall be made at the end of the working party's terms of reference.

## **8. CONDUCT**

All Councillors are required to sign the Model Code of Conduct made under The Local Authorities (Model Code of Conduct) Order 2007 which came into force on 3 May 2007. The Code has three parts: General Provisions, Interests and Registration of Members' Interests. Under the Ashdown Forest Act 1974 (9.1), appointees to the Board by Local Authorities (i.e. covering non-Councillors as well as Councillors) should also sign a form of acceptance "in a form prescribed by the Conservators" (see draft, Appendix 1). This form of acceptance should also be signed by those Conservators elected by Commoners.

8.1 No Conservator shall at a Meeting disregard the ruling of the Chairman, wilfully obstruct business, or behave in such a manner as to cause offence to any Conservator or any other person.

8.2 If, in the opinion of the Chairman, a member has broken the provisions of 8.1, the Chairman may move that the Conservator named be no longer heard or that the Conservator named do leave the Meeting, and the motion, if seconded, shall be put forthwith and without discussion.

8.3 In the event of general disturbance which in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman in addition to any other power vested in him/her may, without question put, adjourn the meeting of the Board for such period as he/she in his/her discretion shall consider expedient.

8.4 No Conservator shall, on any occasion outside any Board or Committee Meeting, disclose the content or nature of a Closed Session.

8.5 Conservators are elected or appointed under Sections 7 and 8, respectively, of the 1974 Ashdown Forest Act. The main duty and responsibility of each Conservator is to the Board as members of the body corporate and the Conservators' statutory rights and obligations must take precedence over everything

else.

- 8.6 As a body corporate there is a requirement on individual Conservators to recognise when majority decisions have determined Conservator policy.
- 8.7 Board members must not conduct themselves in a manner which would reasonably be regarded as bringing the office of Conservator or the Board into disrepute when acting in their capacity as a Conservator.
- 8.8 In the event of any Conservator alleged to be breaching these Standing Orders, or failing to comply with the terms of the form of acceptance (Appendix 1), the Clerk shall be instructed to convene a hearing in front of two other Conservators nominated by the Chairman and an independent nominee of the County Council. If the Conservator against whom allegations are made wishes to bring a representative, he or she will be entitled to do so. Should the hearing result in a conclusion that the Standing Orders have been breached, the Conservator may be requested to step down as a Conservator.

## **9. DELEGATION TO THE DIRECTOR**

The Board delegates to the Director the authority to take such executive action as is necessary to manage the Forest in accordance with policies contained in resolutions of the Board and accordingly to sign any document relating to the management of the Forest for and on behalf of the Board; and in furtherance of which delegation to sign any cheque on behalf of the Board, subject to the limit from time to time determined by the Board in agreement with the District Auditor. See Appendix 2 for Financial Regulations.

## **10. DELEGATION TO THE CLERK TO CONSERVATORS**

The Board delegates to the Clerk the authority to take such action as is necessary to ensure the correct and efficient running of the Boards business in consultation with the Director; and to take the necessary action to enforce the bye-laws.

## **11 DELEGATION TO THE FINANCE OFFICER**

The Finance Officer acts under the policy direction of the FGP Committee and in consultation with the Director, and shall be responsible for the proper administration of the Board's financial affairs, including the production of the Board's annual accounts and of financial management information during the financial year.

## **12. CUSTODY OF THE BOARD'S RECORDS**

Except where otherwise decided by the Board, the books, papers, plans, other documents and electronically stored data belonging to the Board shall be kept in the charge of the Clerk, but shall at reasonable times be open to inspection by the Conservators and, by appointment, the public. They shall not be taken from the Board's offices without the permission of the Clerk, and shall be returned as directed by the Clerk.

## **13. SUSPENSION OF STANDING ORDERS**

These Standing Orders, with the exception of 2.6, 9, 10 and 13, may be suspended without notice in case of an emergency so far as regards any business at the Meeting by a clear majority of Members present.

## **14. APPROVAL OF STANDING ORDERS**

These Standing Orders were approved at a Meeting of the Board on 18 June 2007, and amended on 19 November 2007, 8 September 2008, 9 March 2009, 7 September 2009 and 23 November 2009, 9 March 2010, November 2010, September 2012, March 2013, November 2013, June 2014, June 2015, September 2015 (with amendments to Financial Regulations September 2016) and remain in force until the Board otherwise determines.

**FORM OF ACCEPTANCE OF APPOINTMENT TO  
THE BOARD OF CONSERVATORS OF ASHDOWN FOREST**

**FOR COUNCILLOR APPOINTEES, NON-COUNCILLOR APPOINTEES AND THOSE ELECTED BY COMMONERS**

Section 9 (1) of the Ashdown Forest Act 1974 states:

“Whenever an appointment of an appointed Conservator has been made such Conservator shall, if he accepts the appointment, make a declaration of the acceptance of his appointment in a form prescribed by the Conservators.”

The Board requires that those elected by Commoners also undertake to make such a declaration.

The form of acceptance is as follows:

“I hereby declare that I undertake to comply with

- the spirit of The Local Authorities (Model Code of Conduct) Order 2007;
- the provisions of the Standing Orders of the Board of Conservators of Ashdown Forest;
- and the bye-laws made under the Ashdown Forest Act 1974.

I further undertake to attend a minimum of two meetings of the Board a year and 50% or more of the meetings of those Board committees to which I have been appointed.

I accept that failure to comply with any of the above will lead to a hearing in front of at least three Conservators nominated by the Chairman and may result in a requirement, if supported subsequently by at least 75% of Board members, to step down as a Conservator.

Name:

Signature:

Date:

## Appendix 2 - Code of Conduct for Conservators

On their election or co-option to the Board of Conservators of Ashdown Forest, (hereafter referred to as the Board), members are required to sign an undertaking to comply with the authority's Code of Conduct.

This Code of Conduct, adapted from that of East Sussex County Council which was adopted by that authority on 20 July 2012, is set out below. It is made under Chapter 7 of the Localism Act 2011 and includes, as standing orders made under Chapter 7 of that Act and Schedule 12 of the Local Government Act 1972, provisions which require members to leave meetings in appropriate circumstances, while matters in which they have a personal interest are being considered.

### 1 Introduction and interpretation

- 1.1 This Code applies to **you** as a member of the Board, when acting in that capacity.
- 1.2 If you need guidance on any matter under this Code you should seek it from the authority's monitoring officer or your own legal adviser – but it is entirely your responsibility to comply with the provisions of this Code.
- 1.3 It is a criminal offence to fail to notify the authority's monitoring officer of a disclosable pecuniary interest, to take part in discussions or votes at meetings, or to take a decision where you have disclosable pecuniary interest, without reasonable excuse. It is also an offence to knowingly or recklessly provide false or misleading information to the Clerk or Director.
- 1.4 Any written allegation received by the Board that you have failed to comply with this Code will be dealt with by the Board under the arrangements which it has adopted for such purposes. If it is found that you have failed to comply with the Code, the Board has the right to have regard to this failure in deciding -
  - (a) whether to take action in relation to you and
  - (b) what action to take.
- 1.5 In this Code:
  - (a) "Board" means the Board of Conservators of Ashdown Forest as constituted by the Ashdown Forest Act 1974
  - (b) "Code" means this Code of Conduct
  - (c) "Co-opted member" means a person who is not a member of the Board but who is a member of any committee or sub-committee of the Board.
- 1.6 "meeting" means any meeting of -
  - (a) the Board;
  - (b) any of the Board's committees, sub-committees, joint committees or joint sub-committees.
  - (c) any extraordinary or supplementary meeting.

### 2 Scope

- 2.1 Subject to sub-paragraph 2.2 you must comply with this Code whenever you—
  - (a) conduct the business of the Board or
  - (b) act, claim to act or give the impression you are acting as a representative of the Board

and references to your official capacity are construed accordingly.

2.2 This Code does not have effect in relation to your conduct other than where it is in your official capacity.

### **3 General obligations**

3.1 You must treat others with respect.

3.2 You must not:

- (a) do anything which may cause the Board to breach any of its the equality duties (in particular as set out in the Equality Act 2010);
- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be—
  - (i) a complainant,
  - (ii) a witness, or
  - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with the Board’s code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Board.

3.3 You must not:

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where
  - (i) you have the consent of a person authorised to give it;
  - (ii) you are required by law to do so;
  - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
  - (iv) the disclosure is -
- (b) reasonable and in the public interest; and
- (c) made in good faith and in compliance with the reasonable requirements of the Board; or
- (d) prevent another person from gaining access to information to which that person is entitled by law.

3.4 You must not conduct yourself in a manner which could reasonably be regarded as bringing the Board into disrepute

3.5 You:

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
- (b) must, when using or authorising the use by others of the resources of the Board
  - (i) act in accordance with the Board’s reasonable requirements;
  - (ii) ensure that such resources are not used improperly for any other purpose.

3.6 When reaching decisions on any matter you must have regard to any relevant advice provided to you by

- (a) the Board’s Finance Officer; or

- (b) the Board's Director,
- (c) where that officer is acting pursuant to his or her contractual duties.

3.7 You must give reasons for all decisions in accordance with the Board's Standing Orders and any reasonable additional requirements imposed by the Board.

#### **4 Personal interests**

4.1 The interests described in paragraphs 4.3 and 4.5 are your personal interests and the interests in paragraph 8(5) are your pecuniary interests which are disclosable pecuniary interests as defined by section 30 of the Localism Act 2011.

4.2 If you fail to observe the Code in relation to your personal interests-

- (a) the Board may deal with the matter as mentioned in paragraph 1.4 and
- (b) if the failure relates to a disclosable pecuniary interest, you may also become subject to criminal proceedings as mentioned in paragraph 1.3.

4.3 You have a personal interest in any matter of interest to the Board where either—

- (a) it relates to or is likely to affect
  - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Board;
  - (ii) any body
    - (ii a) exercising functions of a public nature;
    - (ii b) directed to charitable purposes; or
    - (ii c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
    - (ii d) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50;
- (b) a decision in relation to that matter of interest might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of the Commoners of Ashdown Forest and the wider general public;

4.4 In paragraph 4.3 (b) a relevant person is

- (a) a member of your family or a close friend; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in paragraph 4.3(a)(i) or (ii).

4.5 Subject to paragraphs 3.5 and 3.6, you have a personal interest which is also a disclosable pecuniary interest as defined by section 30 of the Localism Act 2011 in any business of the Board where (i) you or (ii) your partner have an interest within the following descriptions:

<b>Interest</b>	<b>Description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Board) made or provided within the period of office in respect of any expenses incurred by you in carrying out duties as a Conservator.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the Board— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within Ashdown Forest
Licences	Any licence (alone or jointly with others) to occupy land within Ashdown Forest for a month or longer.
Corporate tenancies	Any tenancy where (to the Conservator’s knowledge)— (a) the landlord is the Board; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M’s knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

‘body in which the relevant person has a beneficial interest’ means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

‘member’ includes a co-opted member;

‘relevant person’ means:

- (i) Conservator’s spouse or civil partner,
- (ii) a person with whom a Conservator is living as husband and wife, or

- (iii) a person with whom a Conservator is living as if they were civil partners, and the Conservator is aware that that other person has the interest.

‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000() and other securities of any description, other than money deposited with a building society.

4.7 In paragraph 4.5, any interest which your partner may have is only treated as your interest if you are aware that that your partner has the interest.

## **5 Disclosure of personal interests**

- 5.1 Subject to paragraphs 2.1 to 3.7, where you have a personal interest in any matter of interest to the Board and you attend a meeting of the Board at which the matter is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- 5.2 Paragraph 5.1 only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- 5.3 Subject to paragraph 7.1(b), where you have a personal interest in any matter of interest to the Board and you have made an executive decision on any matter in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- 5.4 In this paragraph, "executive decision" is to be construed in accordance with the powers of the Conservators as laid down in the Ashdown Forest Act 1974.

## **6 Prejudicial interest generally**

- 6.1 Subject to paragraph 6.2, where you have a personal interest in any matter of interest to the Board you also have a prejudicial interest in that matter of interest where either-
  - (a) the interest is a disclosable pecuniary interest as described in paragraph 4.5 or
  - (b) the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- 6.2 For the purposes of sub-paragraph 6.1(b), you do not have a prejudicial interest in any matter of interest to the Board where that matter—
  - (a) does not affect your financial position or the financial position of a person or body described in paragraph 4.4;
  - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 4.4.

## **7 Effect of prejudicial or personal interests on participation**

7.1 Subject to paragraph 7.2 where you have a prejudicial interest in any matter in relation to matters of interest to the Board—

(a) you must not participate, or participate further, in any discussion of the matter at any meeting, or participate in any vote, or further vote, taken on the matter at the meeting and must withdraw from the room where the meeting considering the matter is being held—

(i) in a case where paragraph 7.2 applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the matter is being considered at that meeting;

unless you have obtained a dispensation from your authority's monitoring officer or standards committee;

(b) you must not exercise executive functions in relation to that matter; and

(c) you must not seek improperly to influence a decision about that matter.

7.2 Where you have a prejudicial interest in any business of the Board, you may attend a meeting of the Board or of any of the Committees but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose.

7.3 Where you have a personal interest in any business of the Board, you may speak and vote on the matter provided that all present are aware of the fact.