

**Medway Council**  
**STANDARDS COMMITTEE**

**22 MAY 2002**

**7.00pm to 8.35pm**

**RECORD OF THE MEETING**

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**PRESENT:** Councillor Coomber (Frindsbury Extra Parish Council), Michael Coulson, Councillor Jefferies, Alan Povey, Councillor Mrs Julie Shaw and Councillor Swaby (Allhallows Parish Council).

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**4316 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN**

**Decision:**

That Michael Coulson is elected as chairman and Alan Povey as vice-chairman for the 2002-2003 municipal year.

**4317 RECORD OF THE MEETING**

The record of the meeting held on 13 March 2002 was agreed and signed by the chair.

Clarification was sought regarding attendance at the code of conduct training. The committee was advised that 60 Medway councillors and 90 parish councillors and clerks had attended the training and that the turnout had exceeded expectations. Group whips would be advised of those members who had not attended and another training session would be organised in Gillingham in order that those members could receive the training. Parish clerks would also be advised of those parish members who had not attended the code of conduct training.

**4318 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Buckwell and Laura Wren.

**4319 GUIDANCE ON DECLARATIONS OF INTEREST**

**Discussion:**

The monitoring officer presented a report asking the committee to agree the production of guidance on declarations of interest by members of Medway

Council and parishes. The draft guidance appended to the report incorporated good practice identified elsewhere into the guidance recently prepared by the National Standards Board. The committee was advised of the importance of members knowing when they were able to declare a personal interest and speak and vote in meetings and when they would have to declare a prejudicial interest and leave and that, although the National Standards Board would expect far more members to declare a personal rather than a prejudicial interest, members would be advised to err on the side of caution.

The committee noted that the section in the draft guidance regarding deciding a planning application needed to be expanded for parish members and concluded that there was a need for more information and advice for parish members in general.

The committee requested that investigations be undertaken regarding the inclusion of both Standards and the Medway Code of Conduct on the Council's website. The committee also considered using the Pulse to provide information on both standards and the code of conduct.

It was proposed that the guidance should be produced in a format that would allow it to be inserted into the council diary.

**Decision:**

The draft guidance, incorporating comments made at the meeting is submitted to the committee at its next meeting on 27 June 2002.

**4320 DISPENSATIONS**

**Discussion:**

The monitoring officer presented a report on dispensations and advised that the committee's terms of reference also applied and authorised the committee to grant dispensations for parish councils. Noting that dispensations could only be agreed by a quorate Standards Committee, there was general discussion regarding the practicality of granting dispensations via telephone conferencing to deal with urgent requests. The committee was also advised that dispensations previously granted by the Secretary of State could not be simply re-adopted. Therefore consideration would need to be given to whether it was appropriate to re-apply for any dispensation.

**Decision:**

- (a) That applications for dispensations is a standing item on agendas for the Standards Committee;
- (b) That details of dispensations granted by the Secretary of State are sent to political assistants/group whips/individual members as

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appropriate so that a decision can be taken on whether a fresh application is required;

- (c) That the monitoring officer is instructed to report to the next meeting on the practicality of a telephone protocol for the committee to grant dispensations.

### **4321 UPDATE ON THE STANDARDS BOARD CONFERENCE ON 20 MAY 2002**

#### **Discussion:**

Members of the committee who had attended the Standards Board Conference gave a verbal report on matters of interest arising from the conference. It was noted that the National Standards Board had given no definite advice to members who had attended the conference with regard to advice on both Standards and the Code of Conduct, and that it was clear that this was still an evolving area.

The monitoring officer circulated to members a consultation paper from the Department of Transport and Local Government and the Regions (DTLR) concerning the conduct of councillors in respect of local investigations and the determination of misconduct allegations, noting that comments would have to be received by the 1 July 2002. The committee decided that the consultation paper should be discussed after members had had the opportunity to examine the document and agreed to provide the monitoring officer with their comments in advance of the next meeting.

#### **Decision:**

- (a) That members' comments on the consultation paper are given to the monitoring officer at least ten days prior to the next meeting on 27 June 2002.
- (b) That the views of parish councillors are sought on the consultation paper via the parish clerks.
- (c) That the monitoring officer is asked to investigate the issue of legal protection and powers of indemnity for all Standards Committee members.

**Chair**

**Date**