

Medway Council
STANDARDS COMMITTEE

15 JULY 2003

7.30pm to 8.45pm

RECORD OF THE MEETING

PRESENT:

Committee members: Councillor Buckwell, Michael Coulson (independent member) (chairman), Councillor Kearney, Alan Povey (independent member) (vice-chairman), Councillor Mrs Shaw and Michael Swaby (parish council representative).

104 RECORD OF THE MEETING

The record of the meeting held on 18 March 2003 was agreed and signed by the chairman as correct.

105 APOLOGIES FOR ABSENCE

Apologies for absence were received from David Coomber (parish council representative) and Laura Wren (independent member).

106 PLANNING CODE OF CONDUCT

Discussion:

At its meeting on 18 March 2003 members considered the code of conduct for regulating the conduct of planning applications produced by the Association of Council Secretaries and Solicitors. Members expressed the preference that the model to be accepted by Medway should be less legalistic and in plain English and requested that the Monitoring Officer presents further examples in plain English. The Monitoring Officer presented further examples of planning codes for members' consideration.

Decision:

That the Monitoring Officer prepares a Medway code of good practice for the consideration of planning matters and this should be distributed to members for consultation prior to the Standards Committee meeting on 24 September 2003. This would include a flowchart to take members through the steps in considering conflicts of interest in planning matters.

107 NEW ETHICAL FRAMEWORK REGULATIONS

Discussion:

The Monitoring Officer advised members of the provisions of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 which deal with the procedures to be followed when an Ethical Standards Officer of the Standards Board refers misconduct allegations to a Monitoring Officer. The Monitoring Officer advised that the Standards Board had only recently prepared guidance on the appropriate procedure to be followed by the committee in hearing such matters. The document "Standards Committee Determinations, Guidance for Monitoring Officers and Standards Committees" produced by the Standards Board for England was distributed for members' consideration at the meeting.

Decision:

- (a) That the report on the contents of the regulations was noted.
- (b) That the committee instructed the Monitoring Officer to bring a procedure for local determination of matters forwarded by an Ethical Standards Officer to the committee meeting on 24 September for approval.
- (c) That the Monitoring Officer produces a document in order that Standards Committee members could sign up to an undertaking stating that all their decisions would be independent of their party links, to be signed at the start of each municipal year.

108 GENERAL UPDATE

National conference

Discussion:

Members of the committee who attended the national conference for the Standards Board for England held in Birmingham on 9 and 10 June 2003 gave an update to the committee of the key issues which arose over the two days and the following issues were raised:

- Section 66 guidance was presented at the conference however members felt that there was not enough time to read the guidance prior to discussion meetings.
- The issue of anonymity regarding members that are complained about was raised with the Standards Board however no clear answers were given.

- Little solid guidance was given by the Standards Board for England and there was still a lot of scope for interpretation. It was noted, however, that at a local level monitoring officers were taking a more pragmatic approach.
- It was felt that the Standards Board could have done more to publicise the more positive issue of local government as it was noted that the majority of complaints received by the Standards Board for England had been of minor issues.
- It was noted that the Standards Board for England was to produce a quarterly newsletter and Standards Committee members had been asked to raise issues which could be included in this newsletter. The chairman noted that he would write to the Standards Board and raise the issue of anonymity once again. The chairman further noted that he was going to contact other independent members of standards committees of local authorities close to Medway in order to compare the work being done by standards committees of comparable local authorities.

Recruitment of an additional independent member

Discussion:

The Monitoring Officer informed members that the increase in membership of the committee agreed on 18 March 2003 had been endorsed by Full Council.

Decision:

- (a) That the Monitoring Officer be authorised to advertise for the fourth independent member of the Standards Committee in at least one local newspaper.
- (b) That the chair, vice-chair and Monitoring Officer be authorised to shortlist and interview the candidate and bring in a recommendation to the Standards Committee on 24 September 2003.

109 FUTURE WORK PROGRAMME

Discussion:

Councillor Buckwell asked for clarification by the Monitoring Officer with regard to the co-option of members on parish councils, especially with regard to declarations of interest by existing parish members.

Decision:

That the Monitoring Officer investigates this matter and gives further guidance, especially with regard to parish clerks.

Chair

Date

Peter Holland

Committee Co-ordinator

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