



Standards Committee

A meeting of the Committee will be held on:

Date: 1 December 2009

Time: 7:00 pm

Venue: Meeting Room 9, Gun Wharf, Dock Road, Chatham ME4 4TR

Agenda

1. To approve the record of the following meetings:

- 12 August 2009

2. To receive apologies for absence

3. Urgent matters by reason of special circumstances

The Chairman will announce any late items which do not appear on the main agenda but which he has agreed should be considered by reason of special circumstances to be specified in the reports.

4. Declarations of interest

- (a) Personal interests under the Medway Code of Conduct

A Councillor who declares a personal interest in a matter, including the nature of the interest, may stay, speak and vote on the matter.

- (b) Prejudicial interests under the Medway Code of Conduct

A Councillor who declares a personal and prejudicial interest in a matter, including the nature of the interest, must withdraw from the room and take no part in the debate or vote on the matter.

Councillors who have declared a personal and prejudicial interest may make representations, answer questions and give evidence before leaving the room but only if members of the public are allowed to attend for the same purpose.

If an interest is not declared at the outset of the meeting, it should be disclosed as soon as the interest becomes apparent.

5. To consider reports as follows:

(A) Appointment of Member of the Independent Group onto the Standards Committee

This report asks the Committee to consider extending the membership of the Committee to include a Member from each of the four political groups.

(B) Feedback from meeting between Group Leaders and Independent Members of the Standards Committee

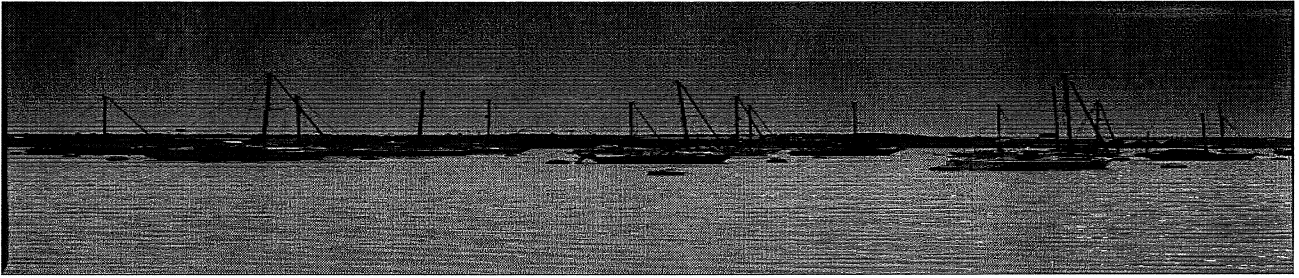
Independent Members will give a verbal update after their meeting with Group Leaders to discuss Standards issues.

(C) Assessment made clear - Standards for England DVD

Standards for England has produced the DVD to help Standards Committee Members and local authority officers involved in the assessment of complaints that a Member may have breached the Code of Conduct.

If you have any queries please contact Peter Holland on 01634 332011 or email: peter.holland@medway.gov.uk.

23 November 2009



Standards Committee

1 December 2009

Record of meeting

- 12 August 2009

ITEM: 1

Medway Council
STANDARDS COMMITTEE

12 August 2009

7:00 pm to 7:30 pm

RECORD OF THE MEETING

PRESENT:

Committee members: Councillor Buckwell (Parish Council representative)
Councillor Coomber (Parish Council representative)
Michael Coulson (Independent Member)
Anthony Dance (Independent Member)
Councillor Marsh (Parish Council representative)
Alan Povey (Independent Member)
Councillors Shaw and Smith

198 ELECTION OF CHAIRMAN

Michael Coulson was elected as Chairman for the meeting and it was agreed that the Chair should be rotated between Independent Members until the Monitoring Officer had recruited new Independent Members. It was agreed that Anthony Dance would Chair the meeting on 7 October 2009.

199 RECORD OF THE MEETINGS

The records of the meetings held on 29 April 2009 and the 6 May 2009 (Joint Meeting of all Committees) were signed by the Chairman as correct.

200 APOLOGIES FOR ABSENCE

Apologies for absence were received from Janet Gray (Independent Member), Beverley Jenkins (Independent Member) and Councillor O'Brien.

Standards Committee, 12 August 2009

201 DECLARATIONS OF INTEREST

Parish Councillors Buckwell, Coomber and Marsh declared Personal Interests in Agenda Item 6(B) Request for Dispensation as they were acquainted with Parish Councillors Beckey and Budd from St Mary Hoo Parish Council.

202 NEW STANDARDS COMMITTEE REGULATIONS 2009

Discussion:

The Monitoring Officer introduced a report that updated the Committee following the implementation of the Standards Committee (Further Provisions) (England) Regulations 2009.

The main changes were presented as follows:

- To enable the Standards Board for England to suspend the functions of a Local Standards Committee.
- To allow for 2 or more Authorities to establish a joint Standards Committee.
- To allow the Standards Committee to grant a dispensation whereby the number of members prohibiting from voting on the business of the authority at a meeting would, but for the granting of any dispensations relating to that business, upset the political balance of that meeting to such an extent as to prejudice the outcome of the voting in that meeting.

The Monitoring Officer informed Members that she had been contacted by Kent and Medway Fire Authority who stated that at that time there was no drive from themselves to have Joint Standards Committees.

Decision:

The Committee asked the Monitoring Officer to send a briefing note outlining the changes to the Standards Committee Regulations to all Members and Parish Clerks.

203 REQUEST FOR DISPENSATION

Discussion:

The Monitoring Officer introduced a report asking the Committee to

Standards Committee, 12 August 2009

consider a request from 3 members of St Mary Hoo Parish Council for a dispensation from the requirement of the Member's Code of Conduct to withdraw from a meeting when matters in which they have a prejudicial interest are considered.

A request had been received from three Parish Councillors from St Mary Hoo Parish Council, for dispensation to speak and vote on matters relating to the Parish Council's Area, which lies within the vicinity of the Councillors' properties, notwithstanding that the Councillors have a prejudicial interest. The letters of request received from Councillors Beckey, Budd and Hassell are attached at Appendix 1.

The request was made due to the number of Councillors having prejudicial interests in this matter in that their properties lie within the vicinity of the proposed planning application to construct a roundabout at the junction of the A228 and Fenn Street, St Mary Hoo at Fenn Corner. With three members of the Parish Council having prejudicial interests in the matter, due to the proximity of their properties to the area, the Parish Council would not be able to discuss the matter (due to there being no quorum) unless a dispensation were to be granted.

Decision:

The Committee granted dispensations to Parish Councillors Becky, Budd and Hassell to speak and vote on matters relating to the Parish Council's Area, which lies within the vicinity of the Councillor's properties, notwithstanding that the Councillors have a prejudicial interest until 4 working days after the next Parish elections.

204 ANY OTHER BUSINESS

The Committee were concerned that a meeting between the Independent Members of the Committee and Group Leaders had not yet taken place and asked the Monitoring Officer to arrange this meeting as soon as possible after the forthcoming By-Election.

The Monitoring Officer informed the Committee that an article to promote the recruitment of New Independent Standards Committee Members would be in the next issue of the Medway Matters magazine.

Members were concerned that they had not received a reply from the Standards Board for England relating to certain outstanding complaints and asked the Monitoring Officer to investigate this matter and report

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back to the next meeting.

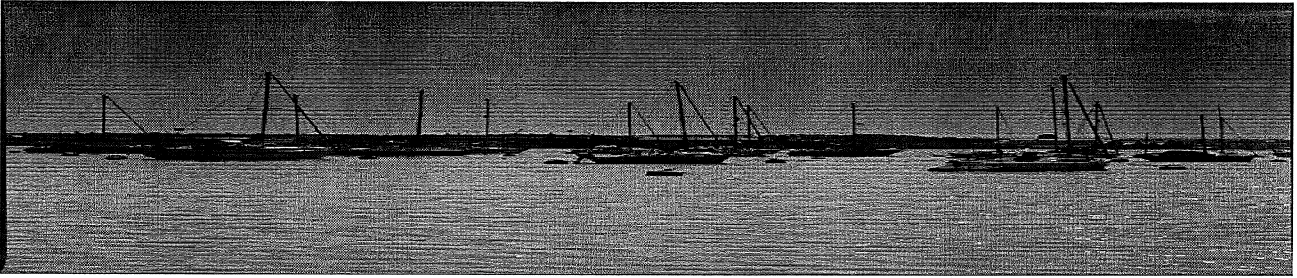
Chairman

Date

Peter Holland

Committee Co-ordinator

Telephone: 01634 332011 Email: peter.holland@medway.gov.uk



Standards Committee

1 December 2009

Appointment of Member of the Independent Group onto the
Standards Committee

ITEM: 5(A)

STANDARDS COMMITTEE

1 DECEMBER 2009

APPOINTMENT OF MEMBER OF THE INDEPENDENT GROUP ONTO THE STANDARDS COMMITTEE

Report from/Author: Deborah Upton, Monitoring Officer

Summary

This report asks the Committee to consider extending the membership of the committee to include 4 Medway Council Members in order that each of the 4 political groups have one Member on the Standards Committee following the creation of a new Independent Group comprising 3 Members of the Council and a by-election in Luton and Wayfield ward on 3 September 2009.

1. Budget and Policy Framework

- 1.1 The decision shall be made within the council's policy and budget framework. However, this change of membership would have to be agreed by Full Council.

2. Background

- 2.1 The Standards Committee currently comprises three Medway Council Members, one from each political group represented on the Council and as the political balance requirements do not apply to the Standards Committee. Following the creation of the new Independent Group there are now 4 political groups and therefore the Standards Committee is asked to consider whether to ask Full Council to extend its membership in order that all political groups have one seat on the Council's Standards Committee.

3. Advice and analysis

- 3.1 Under the Local Government Act 2000, the Council is required to have a Standards Committee, and in accordance with the Standards Committees (England) Regulations 2008 (the 2008 Regulations), at least 25% of the membership of the Standards Committee must be Independent Members (that is persons who are not Members or officers of the Council). At present the Standards Committee has 6 places for Independent Members (there is 1 vacancy at present) and 3 Parish Council representatives. By extending the number of Medway Council representatives to 4, the Committee would have approximately 46% of Independent Members on the Standards Committee (i.e. 6 out

of a total proposed membership of 13) and therefore would still comply with the 2008 Regulations.

4. Risk Management

4.1 There are no risk management implications arising from this report.

5. Financial and legal implications

5.1 There are no financial implications contained within the report.

5.2 The legal implications are set out within the body of this report.

6. Recommendations

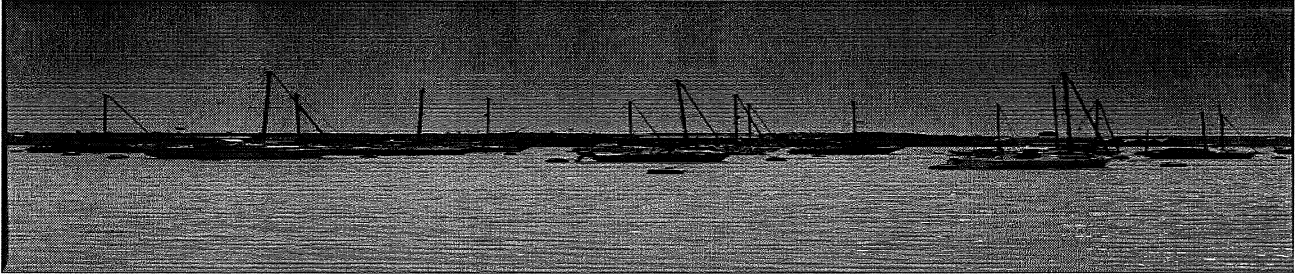
6.1 That the Standards Committee recommend to Full Council that they consider extending the Membership of the committee to include 4 Medway Council representatives in order that each of the 4 political groups have a member on the Standards Committee following the creation of a new Independent Group comprising 3 members of the Council and a by-election in Luton and Wayfield ward on 3 September 2009.

Lead officer contact

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Background papers

None

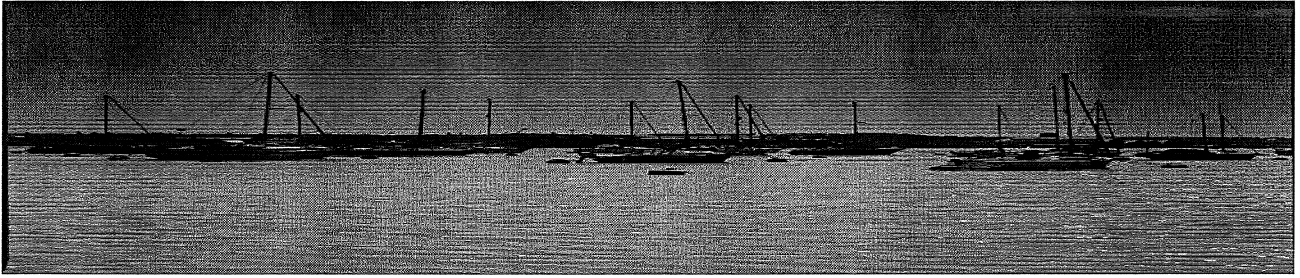


Standards Committee

1 December 2009

Feedback from meeting between Group Leaders and
Independent Members of the Standards Committee

ITEM: 5(B)



Standards Committee

1 December 2009

Assessment made clear – Standards for England DVD

ITEM: 5(C)

