

Medway Council
Meeting of Councillor Conduct Committee
Monday, 31 March 2014
6.00pm to 7.12pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Mrs Diane Chambers, Paul Godwin, Adrian Gulvin, Hicks (Chairman), Kemp (Vice-Chairman), Royle, Shaw and Smith

In Attendance: Lauren Wallis, Democratic Services Officer
Christine Wilson, Head of Legal Services

951 Record of meeting

The record of the meeting held on 24 February 2014 was agreed and signed by the Chairman as correct.

952 Apologies for absence

There were none.

953 Urgent matters by reason of special circumstances

The Chairman advised the Committee that a supplementary agenda had been circulated in relation to item 7 on the agenda due to further information being received. The Chairman had agreed to accept this item as urgent to enable consideration of the matter to be undertaken at the earliest opportunity.

954 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

955 Ward Improvement Fund Guidelines: Update

Discussion:

Further to a meeting of the Committee on 21 October 2013, Councillors considered a report which provided an update on the Council's Ward Improvement Fund Guidance.

Decision:

- a) That the revised guidance and request for Ward Improvement Fund form, as set out in Appendices B and C respectively of the report, be noted;
- b) that the Council be recommended that the criteria for the Ward Improvement Fund be included in Chapter 5 of the Council's Constitution; and
- c) that, dependent on the Council's decision, the Monitoring Officer sends a briefing note to Councillors to inform them of the updated guidance and request for Ward Improvement Fund form.

956 Exclusion of the press and public

RESOLVED: That the press and public be excluded from the meeting during consideration of the exempt material relating to agenda item 7 because consideration of these matters in public would disclose information falling within Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 6, and, in all the circumstances of the case, the Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

957 Assessment of Complaint CCC/003/2014

Discussion:

The Committee considered complaint CCC/003/2014 received by the Monitoring Officer on 17 February 2014 and resubmitted by the complainant in a revised format on 20 March 2014.

Decision:

In accordance with the Assessment Criteria as set out in Medway Council's procedure for dealing with Councillor Conduct complaints under the Localism Act 2011, the Committee decided:

- a) That, under the provisions of the Localism Act 2011, the views of the Independent Person be sought with regard to allegations 1, 2 and 3 and that the findings of the Independent Person be submitted for

Councillor Conduct Committee, 31 March 2014

consideration to the meeting of the Councillor Conduct Committee to be held on 28 April 2014; and

- b) that no further action be taken with regard to allegations 4 and 5.

Reasons:

- i) The Committee determined that seeking the views of the Independent Person would assist the Committee in making a decision as to whether allegations 1, 2 and 3 could possibly constitute a breach of the Members' Code of Conduct.
- ii) In relation to allegation 4, the Committee considered that the allegation was mainly hearsay and therefore had no factual basis. It was not possible to determine on the face of the allegations who had notified the Councillor, who was the subject of the allegation, of the alleged inaccuracy in the information referred to in the allegation. Nor was it possible, without knowing the source of the information and its reliability, to consider whether there was a breach of the Members' Code of Conduct.
- iii) The Committee considered that as allegation 5 related to a meeting held on 9 July 2013, the date falls outside of the six month timeframe as set out in the Medway Council procedure for dealing with Councillor Conduct complaints under the Localism Act 2011 and that there were no extenuating circumstances that would enable this allegation to be considered.

Chairman

Date:

Lauren Wallis, Democratic Services Officer

Telephone: 01634 332817

Email: democratic.services@medway.gov.uk

This page is intentionally left blank