

Medway Council
Meeting of Councillor Conduct Committee
Monday, 15 September 2014
6.00pm to 6.25pm

Record of the meeting

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

Present: Councillors: Carr (Vice-Chairman), Paul Godwin, Hicks (Chairman), Royle, Shaw and Smith

In Attendance: Perry Holmes, Assistant Director, Legal and Corporate Services/Monitoring Officer
Teri Reynolds, Democratic Services Officer
Nicola Smith, Democratic Services Officer

331 Record of meeting

The record of the meeting held on 28 April 2014 was agreed and signed by the Chairman as correct.

332 Apologies for absence

Apologies for absence were received from Councillors Mrs Diane Chambers and Adrian Gulvin.

333 Urgent matters by reason of special circumstances

There were none.

334 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

335 Annual Report of the Monitoring Officer

Discussion:

The Monitoring Officer introduced his annual report for 2013/14. The report demonstrated that there had been a slight rise in the number of complaints

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compared with the previous year but this remained a huge reduction on the number received in 2011/12, under the previous standards regime. The Monitoring Officer also reported that, in accordance with the Council's procedure, he had dealt with a further seven potential complaints which had been resolved informally.

A Member asked the Monitoring Officer about advice given to Members regarding declarations of other interests as he felt there was some inconsistency amongst Members declaring interests at full Council meetings. The Monitoring Officer explained that he had advised Members to always declare other potential interests, that were not Disclosable Pecuniary Interests, at meetings to safeguard against any potential breach of the Code of Conduct. He added that there were a wide variety of items reported to full Council which impact on different Councillors at different times and that he would reiterate his advice on declarations of interests at the next annual refresher training to Members.

Decision:

The committee noted the report.

336 Councillor Conduct Complaints under the Localism Act 2011

Discussion:

The Monitoring Officer reported to the committee some suggested changes to the procedure for dealing with Councillor conduct complaints, following some suggested changes from the Independent Person. These changes were demonstrated as tracked changes appended to the report, however, the Monitoring Officer informed the committee that there was an error on page 23 of the agenda which detailed the flowchart of the process. Number 3 on the flowchart should have demonstrated the removal of the words "falls within".

Members then raised some points and suggestions which included: -

- Whether it was necessary to name the Independent Person in the procedure.
- If a complaint is made more than six months after the event due to the complainant only recently becoming aware of the event itself it was felt that the procedure was unclear whether this would be considered within the deadline.

The Monitoring Officer agreed that the Independent Person's name was not required in the procedure, in order to improve the sustainability of the procedure and keep it current. With regard to the six month deadline, he undertook to provide some wording to make it clear that in such circumstances, a complaint could be considered to be within time, provided the complainant brought it forward as soon as the event the complaint was about came to light.

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Decision:

The committee noted the report and agreed the changes, as detailed within the report, subject to the comments above being reflected.

Chairman

Date:

Nicola Smith, Democratic Services Officer

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