

Medway Council
Meeting of Councillor Conduct Committee
Wednesday, 18 April 2018
6.00pm to 6.17pm

Record of the meeting

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

- Present:** Councillors: Carr, Mrs Diane Chambers, Godwin, Hicks
(Chairman), Shaw and Wildey
- Substitutes:** Councillors:
Bhutia (Substitute for Kemp)
Royle (Substitute for Wicks)
- In Attendance:** Jan Guylar, Head of Legal Services, Local Land Charges and
Licensing/Deputy Monitoring Officer
Wayne Hemingway, Principal Democratic Services Officer
Perry Holmes, Chief Legal Officer/Monitoring Officer

942 Apologies for absence

Apologies for absence were received from Councillors Kemp and Wicks.

943 Record of meeting

The records of the meetings held on 8 November 2017, 14 March 2018 and 21 March 2018 were agreed as correct records.

944 Urgent matters by reason of special circumstances

There were none.

945 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests

There were none.

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Other interests

There were none.

946 Requests for Dispensations

Discussion:

The Monitoring Officer introduced a report which provided details of requests for dispensations for three Cabinet Members who were also Directors of Council Companies.

The report stated that the granting of dispensations to Councillors to allow participation in debate and/or voting on any item in which they have a disclosable pecuniary interest or other significant interest was a matter for this Committee. The Committee detailed the requests from Councillors Doe, Gulvin and Mackness, in relation to Medway Development Company Ltd (MDCL), Medway Commercial Group Ltd (MCG), Medway Commercial Services Ltd and Medway Public Services Ltd, as set out in Appendix 1 to the report.

Members raised a number of issues including:

- Other Directors of Council owned companies – the Chief Legal Officer stated that, at present, that there was a vacancy for the role of Council (Cabinet Member) appointed Director on Medway Norse. There were two non-executive Directors appointed to MDCL, whilst Council officers (and others) were appointed as Directors to Medway Norse and MCG. The Chief Legal Officer confirmed that Medway Council held a majority on the Boards of MDCL and MCG. Whilst Medway Council did not hold a majority on the Board of Medway Norse, it was able to veto any proposals which would not be in the Council's interest.
- The rationale to grant dispensations in respect of these particular companies – the Chief Legal Officer stated that on this occasion the Cabinet was exercising the role of shareholder, therefore, this would allow the relevant Cabinet Members to participate in discussions when Cabinet was exercising that role. He also stated that Members serving on other outside bodies could also apply for dispensations as necessary.
- The role of Overview and Scrutiny – the Chief Legal Officer stated that whilst performance reports on Medway Norse were regularly submitted to the Business Support Overview and Scrutiny Committee, there was a role for Overview and Scrutiny in holding Cabinet Members to account in relation to activities on Council owned companies.

Decision:

- a) The Committee agreed to grant dispensations until 28 June 2019 to Councillors Doe, Gulvin and Mackness for the reasons set out in section 4 of the report to allow participation in debate and/or to vote on any item

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at Cabinet and Council in which they have an other significant interest as follows:

- (i) Councillor Doe in relation to his position as Director and Chairman of Medway Development Company Limited;
 - (ii) Councillor Gulvin in relation to his position as Director of Medway Development Company Limited;
 - (iii) Councillor Mackness in relation to his position as Director and Chairman of Medway Commercial Group Limited, Medway Commercial Services Limited and Medway Public Services Limited.
- b) The Committee agreed that Cabinet Members which are appointed to Council owned companies be asked to include activities of those companies in their reports when they are being held to account by Overview and Scrutiny.

Chairman

Date:

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