

Medway Council
Meeting of Standards Committee
Wednesday, 28 September 2011
7.00pm to 7.45pm

Record of the meeting

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

Present: Councillors: O'Brien and Smith

Independent Members:

Dance, Gray, Sanford, Shah and Thompson

Parish Council Representatives:

Parish Councillors Buckwell, Coomber and Marsh

In Attendance: Duncan Milne, Investigating Officer
Teri Reynolds, Democratic Services Officer
Deborah Upton, Assistant Director, Housing and Corporate
Services/Monitoring Officer

365 Record of meeting

The Chairman signed the minutes of the meeting held on 15 June 2011 as correct, subject to the word 'where' being replaced with the word 'were' under minute number 74 and the words 'and that' being removed under minute number 76.

366 Apologies for absence

Apologies for absence were received from Councillors Shaw and Stamp and John Sindrey.

367 Urgent matters by reason of special circumstances

There were none.

368 Declarations of interest

Parish Councillor Buckwell declared a personal interest in item 5 (work programme) as in relation to cases DU/MO/123 and DU/MO/126, it was likely he would be called as a witness if these were discussed at a full hearing.

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Parish Councillor Coomber declared a personal interest in item 5 (work programme) as in relation to cases DU/MO/123 and DU/MO/126, it was likely he would be called as a witness if these were discussed at a full hearing.

Parish Councillor Marsh declared a personal and prejudicial interest in item 7 (Allhallows Parish Council: Governance Review update) as he was a member of the parish council. He therefore left the meeting for the discussion on this item.

369 Work Programme

Discussion:

The Democratic Services Officer updated the committee in relation to case DU/MO/113 by explaining that the timescales stated in the report had been delayed to late October/November 2011. She explained that the delay had been requested by the subject member due to some personal commitments causing him to not be available in the coming weeks. She also explained that there were some procedural issues, which were being sorted out by the Deputy Monitoring Officer.

The Monitoring Officer and the Independent Investigating Officer for all cases except cases DU/MO/113 and 136) then updated the committee on the status of the remaining outstanding cases. It was confirmed that in relation to cases DU/MO/123 and 126 the final report was now ready for circulation and to be referred to a Hearing Sub-Committee at 'consideration stage'.

Decision:

The committee agreed to note the report and the updates from officers.

370 Register of Members' interests

Discussion:

The Democratic Services Officer introduced the report to the committee and invited questions from members. She also confirmed that the website did inform users that the register of interest was available for public viewing at Gun Wharf.

The Monitoring Officer confirmed that only the register of interests of Medway Councillors would be included on the Council's website and not those of Independent and Co-opted Members or Parish Councillors. She added that having the information available on the website was good practice but was not currently a statutory requirement.

Decision:

The committee agreed that the register or members' interests should be published as soon as possible in respect of Medway Councillors only.

371 Allhallows Parish Council: Governance Review Update

Discussion:

The Monitoring Officer informed the Committee that the training for Members of Allhallows Parish Council had been held and all Parish Councillors had attended. The Monitoring Officer had also advised the parish council to revise its processes and procedures, such as its financial regulations, its terms of reference and its complaints procedure. She explained that the parish council had a clerk that was very clear on all the correct procedures.

The Monitoring Officer then referred to the additional complaints that had been received which were attached to the report as an exempt appendix. She explained that much of the content of the complaints were matters for the parish council itself and that the complaints would need to be referred to a Referrals Sub-Committee. In addition, the Monitoring Officer read out an extract from a letter received from a member of the public who has been attending meetings of Allhallows Parish Council, which explained how they felt the issues at the parish council had improved.

During the discussion of this item there was also a suggestion that the parish council be sent a letter from the Monitoring Officer confirming the role of the Standards Committee and the type of complaints that it could and could not consider. It was felt the letter should also include the Standards Committee's concern of the high number of complaints from and about Allhallows Parish Councillors and that members of the public should be raising their concerns directly via the parish council's complaints procedure.

Decision:

- 1) The Standards committee agreed that a letter be sent from the Monitoring Officer, in consultation with the Chairman, to Allhallows Parish Council, expressing the committee's concern regarding the number of complaints and setting out the role of the Standards Committee and the type of complaints it can and cannot consider.
- 2) The committee noted that the complaints attached to the exempt appendix to the report would be reported to the Referrals Sub-Committee for consideration.

372 Update on the provisions of the Localism Bill and Standards

Discussion:

The Monitoring Officer introduced the report and updated the committee on some amendments that had been proposed to date by the House of Lords, which included a requirement for a national code of conduct and to keep Standards Committees with Independent Members.

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The Committee then discussed the report and their views. The majority of the members felt that a Standards Committee and code of conduct should be retained but with less bureaucracy.

There were also suggestions about the options for the future make up of the committee (subject to legislation), which included: -

- having a reduced number of independent members, although independent members should have an overall majority;
- having only independent members with no elected members;
- having elected members on the committee but only independent members on the sub-committees dealing with complaints.

The committee also considered what role it might wish to have in relation to parish councils and suggested that further detail on this should be included in a further report to the committee, which would also provide a more detailed report on the options for a future standards committee, analysis of the activity of the committee over the last few years and examples of good practice.

Decision:

The committee agreed to receive a report to its next meeting which would set out options for a future standards regime, based on good practice, analysis of local experience and updates on the progress of the Localism Bill.

Chairman

Date:

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