

BOROUGH OF REIGATE AND BANSTEAD
STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held at the Town Hall, Reigate on Monday, 1st July, 2002 at 7.30 p.m.

Present: The Mayor (Councillor M.H.C. Buttery)*; Councillors N. Harris, S.A. Kulka, J.H. Prevett and Mrs. R.S. Turner.

Dr. A.P. Kent – Horley Town Council.

Mrs. J. Paul and Mr. J. Broadbent – independent Members.

*Part meeting.

1. **CONSENT FOR THE MAYOR TO TAKE THE CHAIR**

RESOLVED that, in accordance with Committee Procedure Rule 11.2, consent be given for the Mayor to take the Chair for the next item of business.

2. **ELECTION OF CHAIRMAN**

RESOLVED that Mr. J. Broadbent (independent Member) be elected Chairman of the Committee for the Municipal Year 2002/03.

(Mr. J. Broadbent – in the Chair)

3. **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Mrs. J. Paul (independent Member) be elected Vice-Chairman of the Committee for the Municipal Year 2002/03.

4. **MINUTES**

RESOLVED that the Minutes of the meeting held on 21st March, 2002 be approved as a correct record and signed.

5. **APOLOGY FOR ABSENCE**

Mrs. J.A. Cook – Salfords and Sidlow Parish Council.

6. **DECLARATIONS OF INTEREST**

None.

7. MEMBERS' CODE OF CONDUCT

(a) Interests and Observance

The Committee noted that all Members of Reigate and Banstead Borough Council had now:

- registered financial and other interests
- signed up to the Code of Conduct

One Councillor from Salfords and Sidlow Parish Council had not registered interests or signed up to the Code. The two-month period in which to sign up had now expired and the Member concerned was now disqualified from Office. The Parish Council would have to declare a vacancy and hold an election if requested by ten electors. If an election was not called, the Parish Council would be able to co-opt a Member to fill the vacancy.

One Councillor from Horley Town Council had not yet registered interests but had signed up to the Code. The Member concerned had raised a technical issue and advice on this had been sought from the Standards Board for England. The Monitoring Officer was to write to the Member following this meeting with the Board's advice and indicating that there should now be no reason why financial and other interests could not be registered in the required way. Failure to declare interests would represent a breach of the Code of Conduct and the Member could be reported to the Standards Board.

All other Members of the Parish and Town Councils had completed required documentation.

(b) Training

A round of training events for Members on the Code of Conduct had now been completed. For Reigate and Banstead, this had consisted of four events (two during the daytime and two in the evening) at which a presentation on the Code (and related matters) had been given, followed by a question and answer session. A total of 20 Borough Councillors had attended. Similar events had been organised for the Town and Parish Councils. Attendance at the Borough Council events had been disappointing and a further training session might be held before a meeting of the full Council.

RESOLVED that the reports be noted.

8. DTLR CONSULTATION PAPER: CONDUCT OF COUNCILLORS – LOCAL INVESTIGATION AND DETERMINATION OF MISCONDUCT ALLEGATIONS

The Committee received a copy of the above Consultation Paper and the Officers gave a brief presentation on the background to this matter and the Government's proposals. The presentation made reference to a number of concerns already raised by professional associations/bodies and these were generally supported.

The Consultation Paper was discussed during which concern was expressed that, as the proposals stood, some complaints submitted to an Authority would need to be

referred to the Standards Board for England via the Standards Committee. There was potential for these complaints to be sent back to the Committee, thus completing an unnecessary administrative “loop”.

There was currently no guidance on what constituted a “minor” or “serious” breach of the Code and provision of this advice was considered important in order to ensure consistency in approach. In this connection, it was noted that the Standards Board was intending to issue guidance on a range of issues but, in some areas, this could only be developed in the light of experience. The nature of penalties open to the Board and the Committee (as outlined in the Consultation Paper) were reported and discussed. It was noted that, in relation to referrals to Standards Committees, local protocols would need to be developed and introduced.

The Paper envisaged that Standards Committees considering individual complaints should comprise no more than five Members, whereas the Council’s Committee currently had eight Members. On this basis there was general agreement that complaints against Parish or Town Councillors should not be heard and considered by a Member of the Authority concerned. The position on political affiliation and Borough Councillor representation on the Committee was discussed. The Consultation Paper was silent on these issues and it was unclear how in practice the proposed five Member limitation would work. The Consultation Paper was also silent on public access to meetings considering individual complaints against Members.

Arising from the discussion, Members asked that details of known complaints against Councillors and potential breaches of the Code should be reported on a regular basis to the Committee for information. In addition, Members asked for details to be reported of emerging “case law” and practice. The position on membership of clubs etc. in relation to the register of interests was outlined. It was noted that there was no specific redress procedure as part of the new Code regime in respect of intimidation of and unjustified complaints against Members, other than private litigation.

RESOLVED that the Director of Projects and Corporate Resources be authorised, in consultation with the Chairman, to respond to the Consultation Paper based on the comments and views of Members as expressed at the meeting and referred to above.

9. **ANY OTHER URGENT BUSINESS**

None.

The meeting closed at 8.50 p.m.