

**Minutes of the Members' Code of Conduct Committee
4 February 2014**

Present:

Murray Litvak (Chairman)

Councillors:

F. Ayers
C.A. Bannister
P.A. Broom

A.E. Friday
I.T.E. Harvey
A.J. Mitchell

Apologies: Councillor R.D. Dunn and Sue Faulkner, Vice-Chairman.

22/14 Minutes

The minutes of the meeting held on 2 July 2013 were agreed as a correct record.

23/14 Disclosures of Interest

There were none.

24/14 Reports on complaints against Councillors

The minutes of the Assessment Panel hearing held on 24 September 2013 were received and noted.

The Committee noted that the Assessment Panel hearing scheduled for 3 December 2013 in relation to a complaint against Councillor K was resolved informally before the Assessment Panel met.

25/14 Review of Members' Training

The Monitoring Officer reminded members that three training sessions had been provided for councillors on the revised Code of Conduct, since its adoption by Council on 25 July 2013.

The Committee noted that 15 members were yet to receive the training and discussed the value of holding a further session. The Chairman gave an expectation that all members of the Committee should attend the training even though they had previously been briefed about the revisions to the Code.

The Monitoring Officer explained his intention to circulate the new disclosure of interest form, which included non-pecuniary interests once all members had been trained. The Committee discussed whether to circulate the form without further delay and agreed that this was preferable.

RESOLVED that:

- (1) a final date be offered for the remaining councillors to undertake training on the revised Code of Conduct and
- (2) the revised Notification form for Disclosable Pecuniary and Non-Pecuniary interests now be circulated to all councillors for completion.

26/14 Arrangements

The Monitoring Officer reminded the Committee that the arrangements for dealing with allegations of misconduct under section 28 of the Localism Act 2011 were intended to reassure the public that the Council has measures in place to ensure a high standard of conduct by councillors in public life. It was inevitable that disputes would arise between councillors. However, the changes brought in by the Localism Act were designed to remove such complaints from a formal complaint procedure.

The Committee discussed a suggested additional paragraph to be included within the arrangements which would give responsibility to Group Leaders for resolving matters between councillors. The Committee was concerned that provision should be made to enable such complaints to be referred back to the Monitoring Officer if the Group Leaders failed to bring about a resolution within a set timescale.

RESOLVED that an additional paragraph be included in the Arrangements for dealing with complaints as follows:

“Where a complaint concerns an issue between two Spelthorne Borough Councillors, the Monitoring Officer will initially refer the matter to the appropriate Group Leader(s) to resolve amongst themselves, if at all possible. Every effort should be made to resolve the matter within 28 days and if this is not possible the matter may be referred back to the Monitoring Officer.”

27/14 Planning applications

The Monitoring Officer reminded members that under the Planning Code, any planning applications made by a member or officer of the Council were determined by the Planning Committee and not by the Head of Planning and Housing Strategy under his/her delegated powers.

He explained a new procedure introduced under recently amended planning regulations called ‘prior notification’ whereby the Local Planning Authority consulted neighbours on proposals by householders to build rear extensions under permitted development. If no objections are received, or if the Council fails to issue a decision within 6 weeks, then there will be a deemed approval for the proposals.

The Committee discussed whether a prior notification submitted by a member or officer should be referred to Planning Committee for determination or dealt with under delegated powers. In view of the fact that a prior notification would only be made in respect of what was in any case, ‘permitted development’,

the Committee felt that the matter should be dealt with under delegated powers.

RESOLVED that any prior notification submitted by a member or officer be dealt with under delegated powers.

28/14 Work Programme

The Committee received the work programme for the remainder of the Municipal year 2013-2014.

RESOLVED to note the work programme as submitted.

29/14 Urgent Business

No other business was reported.