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Date: 22 June 2009

**NOTICE OF MEETING:**

**STANDARDS COMMITTEE**

**DATE: TUESDAY 30 JUNE 2009**

**TIME: 7.30PM**

**PLACE: GODDARD ROOM, COUNCIL OFFICES, KNOWLE GREEN, STAINES**

TO: ALL MEMBERS OF THE STANDARDS COMMITTEE

***Councillors:***

T.W. Crabb  
C.A. Davis  
A.P. Hirst  
D.L. McShane  
E. O'Hara  
G.F. Trussler

***Independent Members:***

Mr. M. Litvak (Chairman)  
Miss Sue Faulkner (Vice-Chairman)

**EMERGENCY PROCEDURE**

In the event of an emergency the building must be evacuated. All Members and Officers should assemble on the Green adjacent to Broome Lodge. Members of the Public present should accompany the Officers to this point and remain there until the Senior Officer present has accounted for all persons known to be on the premises.

**THE LIFT MUST NOT BE USED.**

If you would like a copy of this agenda or the attached reports in a larger print please contact Liz Phillis (01784) 446276 or e-mail [l.phillis@spelthorne.gov.uk](mailto:l.phillis@spelthorne.gov.uk)

## **A G E N D A**

### **1. APOLOGIES**

To receive any apologies for non attendance.

### **2. MINUTES**

To confirm the minutes of the meeting held on 24 March 2009 (Copy **attached**)

### **3. DISCLOSURE OF INTERESTS**

To receive any disclosure of interests from members.

### **4. STANDARDS ASSESSMENT SUB COMMITTEE**

The relevant members of the Assessment Sub Committee to approve the minutes of the Assessment Sub Committee meeting held on 9 June 2009 as a correct record and the committee note the decision made. A copy of the minutes is **attached**.

### **5. REVIEW OF TRAINING ARRANGEMENTS**

The Monitoring Officer will report further at the meeting.

### **6. EXCLUSION OF PRESS AND PUBLIC**

The Committee is asked to consider excluding the press and public from the meeting during consideration of the following item on the grounds that it is likely to involve the disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

### **7. COMPLAINTS**

To consider the confidential report of the Monitoring Officer (To follow – GOLD)

## **INFORMAL WORKSHOP**

***Following the closure of the meeting there will be a short workshop for members and officers to consider the following:***

- **Local Determination Hearings**

**IMPORTANT PUBLIC NOTICE**

**MOBILE TECHNOLOGY – ACCEPTABLE USE**

Use of mobile technology (e.g. mobile telephones, Blackberries, XDA's etc.) in Council, Executive, Committee, Sub-Committee, Members' Seminars, Steering Groups, Task Groups, Panels, Area Forum and other meetings can:

- Interfere with the Public Address [PA] and Induction Loop systems;
- Distract other people at the meeting;
- Interrupt presentations and debates;
- Mean that you miss a key part of a decision taken.

**PLEASE:**

Either switch off your mobile telephone, Blackberry, XDA etc. **OR** switch off its wireless/transmitter connection and sound for the duration of the meeting.

***THANK YOU FOR YOUR CO-OPERATION IN THIS MATTER.***

## MINUTES OF THE STANDARDS COMMITTEE

24 MARCH 2009

Present:

**Councillors:**

T.W. Crabb

C.A. Davis

Mrs. J.M. Pinkerton

G.F. Trussler

**Independent members:**

Mr M. Litvak (Chairman)

Miss Sue Faulkner (Vice-Chairman)

**Councillor L.E. Nichols was also in attendance.**

**Apologies: Councillors D.L. McShane and E.O'Hara**

### **74/09 MINUTES**

The minutes of the meeting held on 23 September 2008 were approved as a correct record.

### **75/09 DISCLOSURES OF INTERESTS**

No disclosures were made.

### **76/09 IMPROVEMENTS TO THE BUSINESS MANAGEMENT AND CIVIC LIFE OF THE COUNCIL**

The Committee considered the report of the Deputy Chief Executive setting out proposals and recommendations on various improvements to the Business Management and Civic Life of the Council for approval by the Council, including all necessary amendments to the Council's Constitution.

The Committee was reminded that the recommendations of the Executive on this matter would go before the Council meeting on 23 April 2009 and at that time the views of this committee would be reported via the Chairman's report.

During the discussion on the key areas of change the Chairman reminded members that the Standards Committee was non political. However due to the nature of the issues it was agreed that where the minority and majority group members could not reach an agreement the consensus of opinion would be reported.

**(1) Question Time at Council** – *The proposal was that written responses to questions submitted to Council should not automatically be read out at Council meetings. The suggested change would give authority to the Mayor to direct that a written answer be supplied if either the question or the answer was too long.*

The committee discussed whether the proposed changes would be more effective or not and whether the public in attendance at meetings would be able to follow the proceedings. The Monitoring Officer reminded the committee that any councillor can raise any questions with any officer at any

time and did not have to wait until a Council meeting to receive answers to questions.

Discussion continued on how the Surrey County Council Local Committee for Spelthorne dealt with questions and answers. It was reported that the questions together with the answers were tabled at the meeting and made available for the public and press in attendance.

The committee supported the proposed changes as outlined in the report of the Deputy Chief Executive subject to a full explanation on the new procedure being given to all concerned at council meetings when written replies are directed.

**(2) Supplementary Questions at Council** – *The proposal was to clarify the current situation on members asking supplementary questions at council meetings which should only relate to a point of clarification and not to introduce a new question. The suggested change would therefore only allow supplementary questions which either directly arise out of the answer given or was required to clarify some part of the answer.*

The Committee following confirmation from the Monitoring Officer that supplementary questions could be raised at the Council meeting and not put in writing, supported the proposed change as outlined in the report of the Deputy Chief Executive.

**(3) Number of Questions at Council** - *The proposal was to clarify Standing Order 14.1 which envisaged that one question per member would be submitted to cover a ward, borough wide or committee question.*

The committee discussed the concerns of Councillor Crabb that the proposed change could not be classified as a clarification as it would greatly reduce the number of questions that a member could ask at a Council meeting and therefore Standing Order 14.1 needed to be redrafted for consideration.

The Monitoring Officer reminded members of the additional opportunity for members to raise questions when the individual Chairmen of committees present their reports.

Discussion took place on the high profile expected by residents when they ask a councillor to raise a question on their behalf. It was felt that asking such questions at formal Council meetings and receiving responses in the public domain met such expectations.

The Committee felt that the current expectation which allows members to ask more than one question at a council meeting should remain and that no further changes or clarification were necessary.

**(4) Time Limits for Questions** – *The proposal was to extend the current time questions can be submitted from noon three working days prior to the meeting to noon five working days in advance of the council meeting.*

The Committee fully supported the proposed change as outlined in the report of the Deputy Chief Executive.

**(5) Over View and Scrutiny Procedure Rules - Call in Arrangements** - *The proposal was to acknowledge the important role the chairmen of the scrutiny committees play by amending the current Call-In rules. The changes would*

*still provide for three members of the committee to Call-In a matter, subject to written application with grounds, but one of the three members must be the Chairman of the Committee. A further change was to reduce the call in period from within five clear days to three clear days of the date of the decision.*

The Committee in their discussion of reducing the time span for 'calling in' noted how infrequent the call in process had been used. It was felt that this reflected the view that the Call-in process was a poor substitute for pre scrutiny and cross party working.

The Committee then went on to discuss the concerns put forward by Councillor Crabb that the revised proposals would prohibit the minority group being able to 'call in' an Executive decision. 'This was due to the Chairman of the Committee always being appointed from the majority group.

The Monitoring Officer reminded the Committee that current guidance on scrutiny panels did not envisage partisan working arrangements. Scrutiny was supposed to be a cross party process for "back-bench" councillors to hold the Executive to account.

The Chairman agreed to report that on this matter the minority group was against the proposals and the majority group was in support of the proposals.

**(6) Clarity of nomenclature** – *The proposal was to change the terms "Portfolio Holder", "Executive Portfolio Holder" and "Executive" to "Cabinet" and "Cabinet Member"*

The Committee supported the changes as outlined in the report of the Deputy Chief Executive.

**(7) Civic Life** – *The proposal was to acknowledge and highlight the general duties a councillor has in the civic life of the Council by amending Article 2.3 of the Constitution (Roles and functions of all councillors) to include a responsibility to: "participate constructively and effectively in the civic duties, whether they are Council or Ward events, as and when required or by invitation of the Mayor"*

The Committee in discussing the proposals felt that ward councillors should be in attendance at Mayoral functions held in their Ward. It was also acknowledged that the changes would assist councillors as representatives of the community.

Councillor Crabb asked for clarification on the wording 'as and when required' He also indicated that the role of minority group members should be recognised more widely such as being actively involved with Area Forum meetings and represented on the County Local Committee for Spelthorne.

The Chairman agreed to report that on this matter the minority Group were against the proposals and the majority group were in support of the proposals as set out in the report of the Deputy Chief Executive.

**(8) Member Development** - *The proposal was to enhance the Council's commitment to member development and the SEE Charter for Member Development by identifying and introducing a further responsibility on councillors to take part in Member Development activities which support the civic functions of a councillor. This change would specifically be*

*acknowledged in the Member Development Policy Statement to ensure that members receive training which enables them to carry out their civic duties effectively.*

The Committee acknowledged the link this aspect had with the Civic Life matter. Councillor Crabb indicated that the minority group could support this aspect subject to it being accepted that there would not be a requirement to attend any training on Charing meetings.

**RESOLVED** that the Executive/Council be advised that the Standards Committee have reviewed the proposed key changes to various Improvements to the Business Management and Civic Life of the Council which are outlined above.

# MINUTES OF THE STANDARDS ASSESSMENT SUB COMMITTEE

9 JUNE 2009

**Present:**

Mr Murray Litvak (Chairman)

Councillors:

T.W. Crabb

C.A. Davis

## 1. DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST

No disclosures were made:

## 2. EXCLUSION OF THE PRESS AND PUBLIC

**RESOLVED** that the press and public be excluded from the meeting for consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

In making the decision the Sub Committee confirmed that, having regard to all the circumstances, it was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

## 3. COMPLAINT ASSESSMENT AGAINST COUNCILLORS A AND B

The Sub Committee considered a report from the Monitoring Officer on a complaint received under the Member Code of Conduct against two Borough Councillors.

The Sub Committee determined that a potential breach of the Code of Conduct had not been identified and that, therefore, no further action be taken with regard to the complaint.

**RESOLVED** that no further action be taken. .