

STANDARDS COMMITTEE
24 OCTOBER 2012

(19:15 TO 20:15)

PRESENT: Councillors Peter McCabe (Chair), John Dehaney, Karin Forbes, Janice Howard, Oonagh Moulton, Ian Munn, Judy Saunders and Rod Scott

Non-voting co-opted members:
Nigel Brotherton and Beverley Huie
Paul Evans (Monitoring Officer and Assistant Director Corporate Governance), Fiona Thomsen (Deputy Monitoring Officer) and Colin Millar (Democracy Services)

ALSO PRESENT: Independent Person
Carole Mercer

1 DECLARATIONS OF INTEREST (Agenda item 1)

None were made

2 APOLOGIES FOR ABSENCE (Agenda item 2)

Councillor Philip Jones (Councillor Judy Saunders attended as substitute member)

3 MINUTES OF THE MEETING HELD ON 19 JUNE 2012 (Agenda item 3)

RESOLVED: That the minutes are agreed as a correct record

4 REGULATION OF INVESTIGATORY POWERS ACT AUTHORISATIONS (Agenda item 4)

It was noted that no authorisations had been made since the last report to Standards Committee.

5 GIFTS AND HOSPITALITY – MEMBERS (Agenda item 5)

6 GIFTS AND HOSPITALITY – OFFICERS (Agenda item 6)

it was agreed that members and chief officers should continue to declare Wimbledon Championship tickets purchased from the ballot individually but that a single declaration would be made in future in respect of the other tickets allocated to the officers ballot.

The Chair undertook to remind members of the need to declare any offers of gifts and hospitality which were declined.

The reports were otherwise noted.

7 APPOINTMENT OF CO-OPTED MEMBERS OF THE STANDARDS COMMITTEE (Agenda item 7)

RESOLVED: (1) That the Standards Committee defers the appointment of an interview panel and arrangements for the appointment of a co-opted member until its next meeting;

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(2) That the Standards Committee recommends to the Council that the term of office for co-opted members will be for three years and that a maximum of two consecutive terms can be served and that Part 3B of the Constitution is amended accordingly;

(3) That the Standards Committee recommends to the Council that the current co-opted members would be eligible to be appointed for a second consecutive term and recommends to Council accordingly;

(4) That the Standards Committee recommends to the Council that the term of office of the two current co-opted members be three years from 1 July 2012;

(5) That the Standards Committee recommends to the Council that persons who have served as Councillors or co-opted members, or are close friends or relatives of such persons, within five years prior to the appointment date are not eligible to serve as a co-opted member and that Part 3B of the constitution be amended to include this eligibility criteria; and

(6) That the Standards Committee recommends to the Council that eligibility for co-opted members is restricted to persons who live or work in Merton and that Part 3B of the constitution be amended to include this eligibility criteria.

8 COMPLAINTS AGAINST MEMBERS (Agenda item 8)

The Monitoring Officer advised committee that four complaints had been received and dealt with in accordance with the new procedures. There had been no formal investigations required and there were no outstanding matters.

9 CHANGES TO THE CONSTITUTION (Agenda item 9)

Members asked if the Planning Applications committee could be reviewed as they were last agreed in 2004. The Monitoring Officer said that he would raise this with the Chair of the Planning Applications Committee in the first instance.

The number of members of Planning Applications Committee should be 10 and not 15.

Further correction was required to Article 5 paragraphs 5.1(b) and 5.3 in respect of chairing of the full council.

RESOLVED: That, with the amendments identified above, the proposed constitutional amendments are recommended to the Council for adoption.

10 DISPENSATIONS (Agenda item 10)

RESOLVED:

A. That it be recommended to Council that the following dispensations be granted from Section 31(4) of the Localism Act 2011 on the basis that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business to impede the transaction of the business, such dispensations to be made in respect of members of the Council and take

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effect from 21 November 2012 for the period of 4 years:

- (i) housing, where the member is a tenant of the authority; provided that those functions do not relate particularly to that member's tenancy or lease;
- (ii) school meals or school transport and travelling expenses, where the member is a parent or guardian of a child in full time education, or is a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) an allowance, payment, pension or indemnity given to members;
- (iv) any ceremonial honour given to members; and
- (v) setting Council Tax or a precept under the Local Government Finance Act 1992.

- B. That it be recommended to Council that the Monitoring Officer be designated as the proper officer of the authority for the purposes of written requests by a Member(s) or co-opted Member(s) of the authority for the grant of a dispensation.
- C. That it be recommended to Council that the power to grant dispensations pursuant to section 33 Localism Act 2011, be delegated to the Monitoring Officer and be subject to a right of appeal to the Standards Committee.
- D. That it be recommended to Council that where the Monitoring Officer has used his delegated powers to grant a dispensation a report on the use of the power be prepared and submitted to the next meeting of the Standards Committee.

11 PROTOCOL ON PLANNING MATTERS (Agenda item 11)

RESOLVED: That the Standards Committee recommends the revised protocol for adoption by the Council.

12 WORK PROGRAMME (Agenda item 12)

Additional items

Appointment of co-opted member of the Standards Committee – February 2013

Mayor's Charitable Trust – February 2013