

MINUTES: of the meeting of the Standards Committee held at 11am on Wednesday 18 April 2007 at Conquest House, Wood Street, Kingston upon Thames

Members

Mr David Davis (Chairman)
*+Mr SFI Rutter (Vice-Chairman)

*Mr Victor Agarwal
*+Mr Nicolas Davies LVOJPDL
*Mrs Angela Fraser DL
*Mr Chris Frost
+Ms Karen Heenan
*Mr Daniel Kee
Mr Chris Slyfield

* = Present
+=Independent Member

PART ONE

IN PUBLIC

[All references to Items refer to the Agenda for the meeting]

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09/07 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS** [Item 1]

Apologies for absence were received from Mr David Davis and Mr Chris Slyfield.

In the absence of Mr Davis, the Vice Chairman took the Chair for the meeting.

10/07 **MINUTES OF THE LAST MEETING: 21 February 2007** [Item 2]

The minutes were confirmed and signed by the Chairman.

11/07 **DECLARATIONS OF INTERESTS** [Item 3]

There were no declarations of interests.

12/07 **PROCEDURAL MATTERS** [Item 4]

There were no petitions or questions either from members of the Council or from members of the public.

13/07 **COMPLAINTS HANDLING PERFORMANCE 2006/07** [Item 5]

Nigel Bartlett-Twivey (Customer Relations Manager) introduced the report, explaining that the new format took into account previous Members comments.

One complainant had been paid £1,500 by Environment and Regulation because of the time and trouble experienced by the complainant in bringing a complex series of complaints and because of the way that they had been dealt with by SITA staff. The Council was seeking a monetary contribution from SITA. Julia Montalbetti, as investigator on the complaint, had recommended compensation to Roger Hargreaves (Head of Environment and Regulation) who accepted this without comment. A further outcome to this complaint is that a policy and procedure for dealing with unreasonable behaviour is being prepared.

There are no ongoing problems with the Corrective Action Plans (CAPs). Heads of Service are delivering on CAPs as required. Transportation's response to CAPs is much improved.

One trend that had been identified was that there was not a clear understanding throughout Transportation about roles and responsibilities with regard to safety engineering. Over the previous six months there had been three complaints related to that.

The Council was now paying more compensation with regard to potholes and damage to cars than it had done previously. Various reasons were offered for this:

- The number of claims made was continuing to increase. Poor publicity on Highways had encouraged the increase in claims. There are also a couple of websites which encourage residents to complain about potholes. The Council is receiving 30-60 reports a day through these websites. It is difficult to repair potholes as quickly as reports are received.
- The Insurance Team's ability to defend against complaints had shifted with the ever-increasing number of claims as resources were stretched.
- The Council has a defence under the Highways Act where it can show that it has made a routine inspection and repair within the statutory timescales. If damage is reported between routine inspections, the Council has to repair the road within another statutory timescale. If it can show that it has achieved this then it has a defence.

The Highways Service was currently being reorganised but this would not have an overnight impact on complaints in this area or on the high number of chaser calls about transportation matters to the Contact Centre. It was suggested that Standards Committee refer its concerns to Transportation Select Committee which was already monitoring the situation.

It was **RESOLVED:**

That the Committee refer its concerns about the impact of the problems in Transportation on the Contact Centre and Customer Relations Team to Transportation Select Committee.

14/07 **PROPOSED CONSTITUTIONAL CHANGES TO STANDARDS COMMITTEE CHAIRMANSHIP AND TERMS OF REFERENCE**
[Item 6]

Ann Charlton (Monitoring Officer) introduced the report, reminding the Committee of the discussion at the previous meeting about potential changes to the constitution of the Council.

The Committee heard that the proposed changes would be considered by the full Council at its 24 July meeting rather than on 15 May 2007 as stated in the papers.

After a lengthy discussion, the report was noted.

15/07 **THE MEMBERS' NEW CODE OF CONDUCT** [Item 7]

Ann Charlton introduced the report on the new model Code of Conduct. The new Code has taken on board some of the concerns raised by the County Council in its response to the consultation. It now uses the first person voice rather than "gender-neutral" language such as he/she, him/her, which would have been more cumbersome. It also enables local authorities to introduce local protocols regarding disclosure of confidential information. However, not all of the issues that concerned Members have been addressed, for example Members will in future have to declare a personal interest in relation to any hospitality of more than £25 in value received during the previous three years.

Victor Agarwal requested that Ann Charlton research and advise the Committee on the length of time that MPs have to declare a personal interest in relation to any hospitality.

Since Ann had written the report, further communications from the Department for Communities and Local Government clarified that Councils have to adopt the Code within six months of its publication (2 April) rather than within six months of it coming into force (3 May). Therefore the Council will need to adopt the Code by 2 October 2007.

Ann suggested that the Committee recommend to the Council that it adopts the Code at its July meeting, but that it should not be enforceable until 1 October. This would allow for Members to attend training prior to the Code coming into force.

A quick survey of other local authorities suggests that different authorities are taking forward training in different ways. Ann had an agreement with the Head of Law at Spelthorne Borough Council to double up on training. Other Borough and District Councils had been approached but were not interested. The Committee felt that two to three training days should be programmed in for September and should be spread throughout the month in case of holidays and the party conference season. All Members of the Council should be obliged to attend a training session.

The Committee agreed that in principle the Chairman of Standards Committee should introduce each of the training sessions but that the involvement of Spelthorne Borough Council may complicate matters.

It was **RESOLVED:**

That the Committee recommends to full Council that it adopt the revised Code of Conduct at its meeting in July, with it becoming enforceable as of 1 October 2007.

16/07 **SIXTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES:
*DOWN TO DETAIL: MAKING LOCAL REGULATION WORK***
[Item 8]

The Committee resolved to send Nicolas Davies as a joint representative of Surrey County Council and Waverley Borough Council, splitting the costs, as it did in 2006.

17/07 **DATE OF NEXT MEETING** [Item 9]

The Committee noted that the next meeting of the Standards Committee is on Wednesday 18 July 2007 at 10.30am.

Chairman

[Meeting Ended: 12.30pm]