

**MINUTES** of a special meeting of the **STANDARDS COMMITTEE** held at 2pm on Friday 4 September 2009 at County Hall, Kingston upon Thames.

These minutes will be confirmed by the Standards Committee at its next meeting on 2 October 2009.

**Members:**

- \*+ Mr Simon Edge (Chairman)
- A+ Ms Karen Heenan (Vice-Chairman)
  
- \*+ Mr Nicolas Davies LVO JP DL
- \* Mrs Angela Fraser DL
- \* Eber Kington
- \* Mr Geoff Marlow
- A Mr David Munro
- A+ Mr SFI Rutter
- A Mrs Lavinia Sealy
- \* Mr Colin Taylor

+ = Independent Representatives

\* = Present

A = Apologies

**PART 1**

**IN PUBLIC**

**40/09 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]**

Apologies for absence were received from Ms Karen Heenan, Mr David Munro, Mr Simon Rutter and Mrs Lavinia Sealy.

**41/09 DECLARATIONS OF INTEREST [Item 2]**

There were no declarations of interest.

**42/09 APPLICATION FOR DISPENSATIONS: SPELTHORNE BOROUGH COUNCILLORS AND HEATHROW AIRTRACK [Item 3]**

The Deputy Monitoring Officer reported that Spelthorne Local Committee was scheduled, at its meeting on 9 September 2009, to consider a report on the County Council's response to an application by the British Airways

Authority for Transport and Works Act 1992 powers to build the Heathrow Airtrack rail scheme. The Heathrow Airtrack Order included provision to compulsorily purchase land in the ownership of Spelthorne Borough Council. Applications had been received from a number of Spelthorne Borough Councillors who were members of the Local Committee for a dispensation to allow them to speak and vote at the Committee in relation to Airtrack and the Heathrow Airtrack Order.

The Committee welcomed the fact that members of the Spelthorne Local Committee had recognised the issue of their prejudicial interest, and their seeking to rectify that issue, within the requirements of the Code of Conduct.

The Committee considered the legal criteria for granting dispensations. It was agreed that more than 50% of the members of Spelthorne Local Committee would have a prejudicial interest in the Airtrack item in relation to the effect of the proposed Order and Scheme on Spelthorne Borough Council's financial interest, and, therefore, granting of a dispensation could be appropriate.

The Deputy Monitoring Officer advised that the consultation period, which included a public inquiry, in respect of the Order would take place over the next year. Subject to approval, the implementation of the scheme would follow in late 2010/early 2011 and this could require the Local Committee to consider some highways issues. As the programme of works for the scheme was not clear at present, the Committee agreed that any dispensations should be granted for one year only.

The Committee considered that the Member's potential prejudicial interest arose from the financial effect the decision might have on a public body of which they were a member, and that the nature of the Member's interest was such that allowing them to participate would not damage public confidence in the conduct of the authority's business. It was agreed, therefore, that a dispensation to allow speaking and voting should be granted to those Members requesting it. It was noted that the dispensation would not confer additional rights on these Members and speaking and voting rights were as set out in the Surrey County Council Constitution.

**RESOLVED:**

That a dispensation from the requirements relating to interests set out in the Members' Code of Conduct be granted to the Members listed below to allow them speak and vote (in line with their normal rights as set out in Surrey County Council's Constitution) at any meeting of Spelthorne Local

Committee in relation to Airtrack and the Heathrow Airtrack Order from 4 September 2009 up to and including 31 August 2010:

Ian Beardsmore;  
Caroline Nichols;  
Richard Smith-Ainsley;  
Gerald Forsbrey;  
Denise Grant;  
Jack Pinkerton;  
Robin Sider;  
George Trussler;  
Franks Ayers;  
Huseini Jaffer; and  
Isobel Napper.

[Meeting ended: 2.32pm]

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**Chairman**