

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Committee

Date: Thursday, 15th January, 2015

Place: Civic Centre (Civic 1), Vic Avenue, Cttee Rm 7

Present: Councillor M Royston (Chairman),
Councillors B Ayling (Vice-Chairman), A J Crystall, F Evans, M A Flewitt, J W
Moyies, K R Robinson, N D Ward

Councillor M Cotgrove (Leigh Town Council), Councillor C A Mulronev (Leigh
Town Council), Mrs J Morgan (Independent Person), Mrs J Tetley (Independent
Person)

In Attendance: J K Williams and T Row

Start/End Time: 6.00 p.m./7.25 p.m.

**** **Part I**

556 Apologies and substitutions.

Apologies for absence were received from Councillor A J Moring.

557 Declarations of interest.

The following declarations of interest were made at the meeting:

(a) Councillors Ayling and Flewitt – Agenda Item 4: Requests for Dispensations – Non-pecuniary interests: Committee had previously granted dispensations to them.

(b) Councillor Flewitt - Requests for Dispensations – Non-pecuniary interest: Friend's family are tenants of South Essex Homes Ltd.

558 Minutes of the Meeting held on Wednesday, 10th October, 2012

Resolved:

That the Minutes of the meeting held on Wednesday, 10th October 2012 be received, confirmed as a correct record and signed.

559 Requests for Dispensations

The Committee considered a report of the Corporate Director for Corporate Services regarding applications for dispensations under S.30 Localism Act 2011 that had been submitted by Councillors Butler and McMahon, who are Council appointed Board members of South Essex Homes Ltd (SEH).

The Committee noted that:

(i) Councillors Assenheim and Betson (the other two Council appointed Board members of SEH) had been granted dispensations by the Standards Committee on 10th October 2012 enabling them to speak at Council meetings where SEH business was being considered, but not to vote;

(ii) Circumstances have changed since the decision referred to in (i) above in that Council appointed Board members of SEH no longer receive any allowances; and
(iii) Board Members owe a legal duty of good faith to SEH and must act in the best interests of the company at all times. This is reinforced by the provisions of sections 170-177 of the Companies Act 2006. Any dispensation granted by the Committee does not override such legal obligations on the Councillors concerned.

1. That dispensations are required by the applicants.
2. That dispensations be granted to Councillors Butler and McMahon to enable them to participate, speak and vote at all Council meetings where South Essex Homes Ltd. (SEH) business is considered and they would otherwise have to withdraw. In reaching this decision, the Committee recognised that the knowledge and expertise of the Councillors would be of considerable benefit to the Council and there would be no damage to public confidence.
3. That these dispensations shall operate until 9th October 2016.
4. That the other two Council appointed Board members of SEH be invited to submit applications to extend their dispensations to include voting rights.

560 Monitoring Officer's Report

The Committee considered a report of the Corporate Director for Corporate Services that provided an update on ethical issues and the need to promote and maintain high standards of conduct for elected and co-opted Members.

Resolved:

1. That the report be noted.
2. That the Council be recommended to amend Appendix 1 to the Members' Code of Conduct in Part 5(a) of the Constitution so as to reflect the revised descriptions of the General Principles of Public Life ("the Nolan Principles") made by the Committee on Standards of Public Life.
3. That, in order to promote and maintain high standards of conduct, the following steps should be taken:
 - (a) The Monitoring Officer should send an advice note to all Members of the Council (including co-opted members) and Members of Leigh Town Council about blogging; and
 - (b) A system should be introduced to monitor levels of attendance by individual Councillors at meetings of the Council, Cabinet, Committees and Working Parties to which they are appointed, commencing at the beginning of the new Municipal Year. The system should show the number of times a Member should have attended and the number of actual attendances and the details should be published on the Council's website. The system should include the ability to record any special reasons for non-attendance, such as sickness or clash of meetings.