

TANDRIDGE DISTRICT COUNCIL

STANDARDS COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the on the 9 April 2024 at 7:30pm.

PRESENT: Councillors Nicholas White (Chair), Wren (Vice-Chair), Allen, Lee, Sayer and Prew (Substitute - in place of Groves)

Ms Melissa Clarke (Independent Person)

PRESENT (Virtually): Councillors Evans and Mr Shaun Mundy (Independent Person)

ALSO PRESENT: Councillors Crane

APOLOGIES FOR ABSENCE: Councillors Groves

283. MINUTES OF THE MEETING HELD ON THE 7TH NOVEMBER 2023

The minutes were confirmed and signed as a correct record.

284. REVIEW OF THE PROTOCOL FOR MEMBER/OFFICER RELATIONS

The committee received a report setting out proposed revisions to the Protocol for Member/Officer Relations. The revisions were designed to clarify the mutual responsibilities of Members and Officers and set out how each should work effectively with each other in relation to matters such as decision-making, provision of information and advice and response to enquiries.

The committee and Independent Persons proposed and discussed a number of changes to the protocol. The suggested revisions, where agreed by the committee, were noted by the Head of Legal Services for incorporation into the draft protocol.

R E C O M M E N D E D – that:

A) authority be delegated to the Head of Legal and Monitoring Officer, in consultation with the Chair, to make any changes which might reasonably be considered as minor to Appendix A, based on comments received by the committee.

B) it is recommended to Full Council, taking into account any views of the committee, that it adopts the revised Protocol for Member/ Officer Relations as may be amended in line with (a) above.

C) the Monitoring Officer is authorised to amend the Constitution accordingly.

285. APPOINTMENT OF AN INDEPENDENT PERSON

The committee received a report requesting approval of the appointment of Shaun Mundy and Melissa Clarke as the council's Independent Persons. It was explained that the appointment of

at least one independent person was a requirement of the Localism Act 2011 and that both appointments were for a period of three years, expiring on 1 December 2026.

In response to a councillor query, it was explained that the Independent Person would be formally nominated to the Standards Committee at Annual Council but there was no requirement in the constitution or the committee's terms of reference for the appointments to be ratified by Full Council. It was also explained that all councillors receive a copy of the Standards Committee agenda and would therefore be aware of the proposed appointment. Further, all councillors were entitled to attend the committee to debate the appointment if they wished to do so.

It was noted that the council had decided to appoint two Independent Persons to avoid any potential conflict of interests that may exist between them and the councillor who was subject to the standards complaint. It was also noted that it was the duty of the Independent Person to alert the Monitoring Officer to any potential conflict of interest with a councillor at the outset of a standards investigation and, if necessary, exclude themselves from that process.

Following the debate, Councillor Prew remained of the view that the appointment should be ratified by Full Council and therefore proposed a motion to that effect. The motion was seconded by Councillor Allen. Upon being put to the vote the motion was lost.

RESOLVED – that the committee approve the appointment of Shaun Mundy and Melissa Clarke as Independent Persons for Tandridge District Council for a term of three years, commencing on 1 December 2023, subject to re-confirmation at the Annual Council meetings throughout their term of office.

Rising 8.39 pm