

To all Members of the Council

MEETING OF THE COUNCIL

Your attendance is requested at a Meeting of the Council to be held in the Council Chamber, Pippbrook, Dorking on **TUESDAY 3rd JULY 2012 at 7.00pm** for the transaction of the business set out in the following Agenda.

Angela Griffiths

Corporate Head
Monday 25th June 2012

The Chairman would like to remind Members that they have the opportunity to ask Officers questions, in respect of issues concerning matters of detail or for further clarification, prior to the meeting.

AGENDA

1. MINUTES

To confirm the minutes of the meeting held on 22nd May 2012 as a correct record.

2. APOLOGIES FOR ABSENCE

To receive apologies for absence.

3. DECLARATIONS OF INTEREST

Members should declare interests that they have with respect to any item on the agenda and state whether they are personal or prejudicial and the nature of the interest.

4. CHAIRMAN'S ANNOUNCEMENTS

5. LEADER'S STATEMENT

The Leader will speak to the Council for up to 5 minutes.



6. POLITICAL BALANCES/FORMATION OF POLITICAL GROUPS/COMMITTEE MEMBERSHIPS 2012/13

6.01 The Local Government and Housing Act 1989 contains provisions relating to political balance on Committees and Sub-Committees and seats have therefore to be allocated on them in proportion to the representation of political groups on the Council and in accordance with the wishes of the political groups.

6.02 Based upon the information currently provided to the Chief Executive the membership of the Council is as follows:

Conservative Group	Liberal Democrat Group	Informal Independent Group	Social Democrat Member
Emile Aboud	Stella Brooks	Richard Brooke	Derrick Burt
Lynne Brooks	Margaret Cooksey	Mary Cooper	
John Chandler	Stephen Cooksey	Paula Hancock	
Clare Curran	Paul Elderton	Simon Ling	
Rosemary Dickson	Raj Haque	John Northcott	
James Friend	Phil Harris	Chris Townsend	
Chris Hunt	Valerie Homewood	Kathryn Westwood	
Tessa Hurworth	David Howarth		
Vivienne Michael	Bridget Lewis-Carr		
David Mir	Michael Longhurst		
John Muggerridge	Tim Loretto		
Paul Newman	Rebecca McCheyne		
Corinna Osborne-Patterson	Wayne Monkman		
David Sharland	Iain Murdoch		
Charles Yarwood	Paul Potter		
	David Preedy		
	Caroline Salmon		
	Philippa Shimmin		
15/41	18/41	7/41	1/41

6.03 The Council is advised to review the representation of the Conservative, Liberal Democrat Groups and informal Independent Groups and the Social Democrat Member to determine the allocation of seats to those Groups as set out on pages 7 - 8 of the Agenda. The Council is also advised to appoint Members to serve on those Committees in accordance with the wishes of the Groups as notified by the Leaders of the Conservative, Liberal Democrat and informal Independent Groups.

6.04 The Council is to advise the Committees that the principles of proportionality are to be applied by Committees at such time as they might appoint Members to time limited Sub-Committees and Joint Committees.

6.05 The Council is asked to RESOLVE:

(1) That the Council notes that the membership of the political groups on the Council is a Conservative Group of 15, a Liberal Democrat Group of 18, an informal Independent Group of 7 and the Social Democrat Member.

(2) That the allocation of seats to the Conservative, Liberal Democrat and informal Independent Groups be on the basis that 22 seats are allocated to the Liberal Democrat Group, 18 seats are allocated to the Conservative Group, 8 seats to the informal Independent Group and 1 seat to the Social Democrat Member.

(3) That the proposals submitted by the Leaders of the Conservative, Liberal Democrat and informal Independent Group as shown in the schedule which will be circulated at the Council meeting be approved.

(4) That the appointment of Mr Roger Hammond and Mr Stuart McLachlan (Parish Council representatives) (as set out on page 8 of this agenda), be appointed as non voting members of the Standards Committee with effect from 1st July 2012.

(5) That the principles of proportionality be applied to Committees at such time as they might appoint time limited Sub-Committees and Joint Committees.

7. RECOMMENDATIONS OF COMMITTEES

Standards Committee 11th June 2012 – Localism Act 2011 – The New Standards Framework

'The Committee considered a report set out at pages 5 to 23 of the agenda, which set out the current position in respect of the Localism Act 2011 relative to the new Standards Framework.

The report advised that the current statutory model Code of Conduct for Members was to be abolished. The Localism Act replaced it with an obligation to adopt a Code dealing with the conduct that was expected of Members when acting in their official capacity. The Code must include such provision as the Council considered appropriate for the registration and disclosure of pecuniary and other interests.

The Government had otherwise refrained from prescribing what local Codes must contain, other than stipulating that they must respect the following principles of holding public office: -

- selflessness
- integrity
- objectivity
- accountability
- openness
- honesty
- leadership.

A draft Code was attached to the report. The Code would apply to both elected Councillors and co-opted members when they acted in their official capacity.

The Monitoring Officer advised that regulations had recently been published setting out the nature of the Disclosable Pecuniary Interests that need to be registered by Members and copies were circulated at the meeting for information. The regulations come into force on 1st July 2012. It was noted that the draft Code had been drafted in conjunction with the other Surrey authorities and that the Parish Councils were considering a separate Code. The Committee noted the position with regard to independent members and that an advertisement seeking the appointment of the Independent Person had been published and that a further joint advertisement with three other authorities would be published shortly.

The Committee discussed the draft Code in detail and made comments.

It was noted that the draft Code would be submitted to the meeting of Council on 3rd July 2012 for consideration. The Committee requested that the draft Code, as amended, should be circulated to all Members prior to the meeting. (The Code was emailed to all Members on 18th June 2012.)

The Committee then discussed the draft "arrangements" for dealing with complaints that a Member or co-opted Member of the Council had failed to comply with the proposed Code of Conduct. With regard to allegations against Members, there was a suggestion that the Member should be advised on receipt of the allegation, unless the nature of the allegation was a Police matter. It was noted that consideration would be given to this suggestion.'

RECOMMENDED: That

(1) A new code of conduct for Members in accordance with Section 27(2) of the Localism Act 2011 be adopted with effect from 1st July 2012.

(2) Arrangements for dealing with allegations of misconduct by Members with effect from 1st July 2012 be approved.

- (3) **Six Councillors be appointed to sit on the Standards Committee on the nominations of the Group Leaders (should not have to be politically balanced) and as previously suggested by the Standards Committee that two Parish Councillors be appointed as the Parish Council representatives (non-voting) on the Standards Committee.**
- (4) **The independent (non-voting) and the reserve independent (non-voting) Members of the Standards Committee be appointed at the Council meeting. (Note – see further recommendation below.)**
- (5) **The Monitoring Officer be authorised, in consultation with the Members of the Standards Committee, to make amendments to the Code of Conduct and the arrangements for dealing with allegations of misconduct by Members, in accordance with any Regulations received following the approval of these recommendations.**
- (6) **The Council Constitution be amended accordingly.**

Further to the recommendations above and specifically recommendation (4), the positions of Independent Person and Reserve Independent Person have been advertised. The Monitoring Officer will need to satisfy himself as to any persons responding to the advert further to recommendation 4 from the Standards Committee. **The Council is asked to authorise the Monitoring Officer to informally appoint the Independent and Reserve Independent persons, and report back to the next meeting of the Council for ratification.**

Attached at pages 9 to 26 of the agenda is a copy of the report considered by the Standards Committee on 11th June 2012.

With reference to recommendation (6), as set out above, **the Council is asked to approve the revised Terms of Reference attached at Annex A (page 27) and the amendment to Standing Orders attached at Annex B (page 28).**

8. ANNUAL REPORT 2011/12

To consider the report of the Performance and Policy Manager, as set out on pages 29 to 42 of this agenda.

Members are asked to note that information for inclusion in the 'Council Finance' section at the end of the Annual Report was not available in time for publication of the agenda; this information will be circulated to Members as soon as possible when it has been finalised.

The Council is asked to approve the Annual Report to highlight the Council's achievement in 2011/12, to residents, partners and other stakeholders.

9. MOTIONS

Motion 1/2012

The following motion was submitted by Councillor David Preedy:

'This Council welcomes the agreement that the Surrey County Council Adult Social Care team will be based out of this building; it looks forward to the closer working relationship and better communications that this will allow with the District's Housing and Benefits teams and expects that this will improve the effectiveness of the Services delivered to Mole Valley residents.

Council recognises:

- the rental income received from Surrey County Council and Surrey Police for their use of the Pippbrook offices;

- the demonstration by the Police of how the open-plan space can be used effectively in the way the Pippbrook building was designed.

Council also notes that:

- conversion of the previous restaurant area means the loss of one of two meeting spaces for groups of more than 10 people;
- community groups that have previously been able to find meeting space in Pippbrook are being forced to look elsewhere;
- space and facilities for Members working at Pippbrook have been significantly reduced.

Council regrets that these changes will hinder the ability of community groups to collaborate effectively with Officers and Members and that they have been implemented with insufficient consultation with Members.

Council asks the Leader/Executive to:

- re-assess the need for meeting space close to Pippbrook, perhaps including some arrangements to use facilities in Dorking Halls;
- confirm that the recent rental agreements cover the full costs of the space provided;
- and to consult with Members over the space and facilities that they need to represent their residents effectively.'

10. URGENT ITEMS

To consider any items which the Chairman considers to be urgent.

If you require a copy of this agenda, any of the reports within it or a large print version of the agenda, please telephone Victoria Foreman on 01306 879355 or e-mail: victoria.foreman@molevalley.gov.uk

(a) Audit Committee (7 seats)

Conservative	Liberal Democrat	Independent
1.	1.	1.
2.	2.	
3.	3.	

(b) Scrutiny Committee (11 seats)

Conservative	Liberal Democrat	Independent
1.	1.	1.
2.	2.	2.
3.	3.	
4.	4.	
	5.	

Substitutes

1.	1.	1.
2.	2.	

(c) Development Control Committee (19 seats)

Conservative	Liberal Democrat	Independent	Social Democrat
1.	1.	1.	1.
2.	2.	2.	
3.	3.	3.	
4.	4.		
5.	5.		
6.	6.		
7.	7.		
	8.		

Substitutes

1.	1.	1.
2.	2.	2.
3.	3.	3.
4.	4.	4.

(c) Licensing Committee (11 seats)

Conservative	Liberal Democrat	Independent
1.	1.	1.
2.	2.	2.
3.	3.	
4.	4.	
	5.	

(d) Standards Committee (6 Member seats)

Conservative	Liberal Democrat	Independent	Independent Person and reserve Independent Person	Parish
1.	1.	1.		Roger Hammond
2.	2.	2.		Stuart McLachlan

The new Standards arrangements come into effect from 1st July 2012 (see report at agenda Item 7) when there will be 6 Councillors on the Standards Committee which does not have to be politically balanced, provided no Member votes against such a proposal. It is for the Council to allocate those 6 seats. The Standards Committee strongly recommends that the Committee should not be politically balanced and such an agreement would allow for 2 Members each from the Conservatives, Liberal Democrats and Independents. There will also be 2 Parish Councillors, a designated Independent person and one reserve independent person.