

ANNUAL STANDARDS REPORT

Portfolio	N/A
Ward(s) Affected:	N/A

Introduction and Purpose

To update the Audit and Standards Committee on any standards issues. The Monitoring Officer commenced employment in April this year but reference has been made to matters before April of which he is aware.

1. Key Issues

- 1.1 In accordance with the Localism Act 2011, the Council has adopted a Code of Conduct and has in place local arrangements for dealing with issues of conduct and requests for dispensations for both the Council and Parish Councils. The Register of Interests is also available for inspection on the Council's website.
- 1.2 Questions of predetermination and declarations of interest seem to arise most frequently in relation to planning matters. Members must reveal any disclosable pecuniary interests as well as any non-pecuniary interests at any meetings. Periodically, Members need to be reminded that when they do this, they must give sufficient detail for the public to understand the nature of the interest.
- 1.3 In addition to the changes to the Constitution referred to in sections 1.5 and 1.6 below, some other changes have been made to the Constitution which reflect issues that have arisen since April this year. These revisions were led by the Governance Working Group. These most recent changes clarified the use of the Chairman's casting vote and the requirement for further debate. Other changes were in relation to the terms of reference for the Employment Committee and Officer/Member protocol.
- 1.4 The Monitoring Officer and Deputy Monitoring Officer have been actively assisting some Parish Councils with Governance issues and advising on best practice. At present, the Monitoring Officer considers that Parish Councils appear, overall, more stable but will continue to monitor and assist where required.

Monitoring Officer's reports and investigations

- 1.5 Following the investigation into the allowances of the Council's former Chief Executive, the Council accepted the recommendations of the investigation and updated the Constitution to incorporate the establishment of an Employment Committee. Some further updates to the Constitution in this respect are expected to be presented to Full Council in December this year.
- 1.6 In July this year the Monitoring Officer reported to Executive that the decision to remove a local land charge at field 81 was potentially procedural ultra vires. The Executive accepted the recommendations of the Monitoring Officer to update the Constitution to incorporate additional safeguards. These updates are expected to be presented to Full Council in December this year.

- 1.7 In October this year Full Council accepted a proposal for a 6 month trial to share the Monitoring Officer role with Elmbridge Borough Council. The arrangement is to provide Elmbridge with the equivalent of 2 days per week of the Monitoring Officer's time. This arrangement started on 1st November.
- 1.8 Since April, a reasonably high number of relatively minor issues have arisen both at Borough and Parish level. The Monitoring Officer did not consider that any of the complaints warranted formal investigations. A minority of complaints did amount to minor breaches of the Code of Conduct and the Monitoring Officer was satisfied that these could be resolved by informal resolution. An independent person was consulted once in relation to an allegation of failure to declare a pecuniary interest. The independent person and the Monitoring Officer were agreed on the informal resolution. Since April this year the Deputy Monitoring Officer has dealt with 3 code of conduct complaints and the Monitoring Officer has dealt with 14 such complaints. Some complaints comprise of several allegations against the same Members.
- 1.9 The Monitoring Officer was also asked to review the decision-making process regarding planning appeals following the progress of a particular appeal. The Monitoring Officer did not find any governance issues regarding the conduct of planning appeals.

2. Supporting Information

- 2.1 All the key documents are set out in the Council's Constitution, including the Code of Conduct, the Member/Officer Protocol and the Planning Code of Practice for Councillors and Officers, together with the Monitoring Officer Protocol.
- 2.2 The Council's website has the Register of Interest available for inspection. A complaints form is also available for members of the public to use.

3. Corporate Objectives And Key Priorities

- 3.1 These are statutory requirements.

4. Resource Implications

- 4.1 There are no resource implications at present.

5. Legal Issues

- 5.1 These are set out above.

6. Governance Issues

- 6.1 These are set out above.

7. Recommendation

- 7.1 The Audit and Standards Committee is advised to resolve to note the contents of this Annual Report.

Annexes	None
Background Papers	None
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