

**MAIDSTONE BOROUGH COUNCIL**

**GENERAL PURPOSES GROUP**

**MINUTES OF THE MEETING HELD ON 29 APRIL 2008**

**PRESENT:** Councillor Garland (Chairman) and Councillors Horne, Hotson, Marchant, Moriarty, Mortimer, Robertson, Sherreard and Wilson

**Also Present:** Mr M Powis – Co-opted Member

**REFERRED MATTER**

221. **STANDARDS COMMITTEE - REAPPOINTMENT OF INDEPENDENT MEMBER/APPOINTMENT OF INDEPENDENT MEMBER**

The Group considered a reference from the Standards Committee concerning the reappointment of an Independent Member and a report by the Democratic Services Manager concerning the appointment of a person to fill the vacancy arising from the resignation of Mr Paul Bartup as an Independent Member. It was noted that: -

- The Standards Committee had considered the operational implications of the new locally based ethical regime. Regulations allowing local authority Standards Committees to receive, and decide what to do about, complaints about the conduct of Councillors locally would come into force on 8 May 2008.
- The Standards Committee had decided that the Local Investigations and Determinations Sub-Committee should deal with the initial assessment of complaints of Member misconduct as well as hearings following investigations, including the possible imposition of sanctions.
- It was considered that the new regime should be capable of operating with three Independent Members as at present but that the number of Parish Council representatives should be increased from two to three to create sufficient capacity. In this connection, the Kent Association of Local Councils had been asked to nominate a third Parish Council representative for consideration by the Council.
- Mr Paul Bartup had resigned as an Independent Member because he was now employed by a body that had a Standards Committee. The appointment had been advertised and three applications had been received in response to the advertisement.
- Under normal circumstances, Mrs Margaret Bell would be replaced at the beginning of the next Municipal Year because she had served two terms of office. However, the Standards Committee considered that it would be better if she were to be invited to stay on for an extra term given her experience and expertise. To replace two Independent

Members at this time, with the imminent implementation of the new locally based ethical regime, would not be helpful.

The Group agreed that, in the circumstances, Mrs Bell should be invited to stay on as an Independent Member, but for a shorter period given that she had already served two three year terms.

The Group then considered the arrangements for interviewing the applicants, including the questions to be asked. It was noted that the recommendation of the Group had to be approved by a majority of the Council to enable the appointment to be made.

The Group, wishing to consider the information contained in the exempt Appendix to the report of the Democratic Services Manager (the application forms and references) and to interview the applicants in private: -

**RESOLVED:** That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test: -

**Head of Schedule 12A and  
Brief Description**

Exempt Appendix to the Report of the Democratic Services Manager	1 - Individual.
Interviews for the Appointment of Independent Member	1 - Individual.

Having considered the information contained in the exempt Appendix to the report of the Democratic Services Manager and interviewed the applicants, the Group agreed to make the following recommendations to the Council: -

**RECOMMENDED:**

- (i) That Mrs Margaret Bell be invited to stay on as an Independent Member of the Standards Committee for an extra six months and that she be thanked for her excellent services to the Committee;
- (ii) That Mr Donald Wright be appointed as an Independent Member of the Standards Committee for a term of two and a half years commencing on 17 November 2008 with the intention that, in the meantime, he should "shadow" Mrs Bell; and
- (iii) That Mrs Dorothy Phillips be appointed as an Independent Member of the Standards Committee for a term of three years commencing on 14 May 2008.

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**DELEGATED MATTERS**

222. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted: -

Councillor Marchant for Councillor Sams  
Councillor Moriarty for Councillor D'Souza

223. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

224. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Robertson stated that he knew two of the people who had applied to be an Independent Member of the Standards Committee; one through his membership of the Maidstone Beauvais Twinning Association and the other through the Maidstone Trust and the Safer Roads for Teston Campaign. However, they were not close friends and he intended to participate in the selection process.

Councillor Hotson stated that one of the people who had applied to be an Independent Member of the Standards Committee had been a Governor of the School where his wife worked. However, there was no rapport between them and he intended to participate in the selection process.

225. EXEMPT ITEMS

RESOLVED: That the items on Part II of the agenda be taken in private as proposed.

226. MINUTES

RESOLVED: That the Minutes of the meeting held on 6 March 2008 be approved as a correct record and signed.

227. STANDARDS COMMITTEE - REAPPOINTMENT OF INDEPENDENT MEMBER/APPOINTMENT OF INDEPENDENT MEMBER

Arising from the selection process, the Group: -

RESOLVED:

- (i) To RECOMMEND to the Standards Committee: That the maximum length of office of Independent Members be reviewed as it is considered that two three year terms is too long if they are to maintain their independence; and
- (ii) That the size of the Selection Panel should be reduced as it is considered that nine Members plus an Independent Member and the Head of Corporate Law and Legal Services is too many.

See Minute 221 above.

228. DURATION OF MEETING

6.00 p.m. to 8.20 p.m.