

AUDIT & GOVERNANCE COMMITTEE

7 October 2021 at 10.00 am

Present: Councillors Clayden (Chair), Bennett, Chapman (Vice-Chair), Chace, Haywood, Oppler, Staniforth and Tilbrook

343. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Oliver-Redgate, Northeast and Goodheart.

344. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

345. MINUTES

The Minutes of the meeting held on 29 July 2021 were approved by the Committee. These would be signed at the end of the meeting.

346. PUBLIC QUESTION TIME

The Chair confirmed that no questions were submitted for this meeting.

347. REVIEW OF HANDLING OF PAGHAM PETITION

Upon invitation of the Chair, the Deputy Monitoring Officer introduced his report, he explained that the purpose of the item was to consider allegations from the Petition Organisers that the complaint had not been handled properly. He clarified that at the time of the events being discussed he was the Interim Monitoring Officer, and when the Petition Organisers referred to the Monitoring Officer, it was him they were referring to. He drew Members' attention to Page 22 of the agenda, an email dated 15th July from the Petition Organisers, which he read out. He confirmed that the Petition Organisers were given until 1st September to submit the additional paperwork referred to in the email, however this had not been done. There were 3 items of complaint contained in the email from the Petition Organisers, these being the Monitoring Officer did not mention modification when the reply was being presented at Full Council on 14th July; issues around costs of compensation; and the Monitoring Officer had failed to release documents.

The Deputy Monitoring Officer highlighted Page 26 onwards of the Agenda Pack, which showed all the information provided to the Petition Organisers in response to

Audit & Governance Committee - 7.10.21

their Freedom of Information request. This showed which of the signatures submitted to the Council were valid, and which were invalid. He gave examples of invalid signatures which were from people in places such as Aberdeen, Barnsley, USA etc. It showed out of the 2000 signatures, almost half were invalid. It would have been clear to the Petition Organisers that some people signing the petition were from out of the area.

The Deputy Monitoring Officer then addressed the second allegation, that the Monitoring Officer had failed to mention modification when delivering the response to the presentation at Full Council. He thought this was a strange allegation, as in their own Statement of Case, the Petition Organisers had only ever mentioned revocation (as show in Page 19), and the Monitoring Officer had mirrored their wording, which did not include modification.

The third allegation was that the Monitoring Officer had misled Members in relation to the question of compensation. He confirmed the Petition Organisers had failed to identify a figure for compensation. The developer had identified what they would consider applying for, and the QC confirmed the figure could be considerable.

The Chair then handed over to the Vice-Chair who thanked the Deputy Monitoring Officer for the clear report. He also thanked the Full Council Committee Manager for producing the excellent Minutes of the 14 July 2021 Full Council Meeting. Minute 113 showed that he, as the Chair of the Planning Committee, had stated that he would be responding to the petition in terms of the way it was written, and not how it had been presented at the meeting. He felt Mr Rawlins had betrayed the trust placed in him by the people that had signed the petition, by speaking differently to the wording of the petition. He commended the patience and sense of duty shown by the Officers.

Members then took part in a debate where the following points were raised:

- When the petition was originally submitted and the threshold of signatures had not been met, the Petition Organiser had the option to take the petition to Development Control Committee, however they refused this option.
- A petition was brought to a Council when residents were very upset by an issue, and they felt a petition could be a last resort. Although it was felt the Council handled the petition properly, it was suggested that the perception of residents was that it was not going to be looked at fairly, and that the Council had not wanted to receive it.
- It was suggested although handled correctly by Officers, some Members were insensitive when dealing with the petition at Full Council.

After Member questions the Chair summarised what the item was about, which was whether or not the petition was handled properly. The Petition Organisers had specified 3 matters which they said supported their allegation that the petition was not handled properly. Firstly, that the Monitoring Officer's summing up was not correct. He reiterated the Monitoring Officer had said he was responding to the petition as presented by Mr Collins in writing and by Mr Rawlins in his presentation at Full Council.

Secondly that they were not provided with information about missing signatures. He said Members had heard from the Deputy Monitoring Officer that the Agenda Pack had all the information provided to them as part of their Freedom of Information request. He said it should also be noted that that the Information Commissioner had not been approached by the Petition Organiser by way of complaint about a lack of information. Thirdly the Petition Organisers had expressed their dissatisfaction with regards to some Members not Voting on the petition at Full Council. It was for Members to make their own minds on whether abstention was evidence of the Council not dealing with the petition properly.

The recommendation was Proposed by Councillor Chapman and Seconded by Councillor Chace.

The Committee

RESOLVED

That the Petition was dealt with properly

The Chair concluded the meeting by reinforcing that if anyone was considering submitting a petition, they should contact the Monitoring Officer and her team, who were there to assist, and could set out what needed to be done.

(The meeting concluded at 10.26 am)