

MINUTES of the meeting of Standards Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 13 January 2012 at 2.00 pm

Present: David Stevens (Chairman) (Independent Member)
Jake Bharier (Vice Chairman) (Independent Member)
Olwyn Barnett (Local Authority Representative)
Chris Chappell (Local Authority Representative)
Richard Gething (Parish and Town Council Representative)

In attendance: John Hardwick and John Stone (Local Authority Substitutes)

22. APOLOGIES FOR ABSENCE

Apologies were received from Isabel Fox (Independent Member) and Mary Morris (Parish and Town Council Representative).

23. DECLARATIONS OF INTEREST

There were no declarations of interest made.

24. MINUTES

RESOLVED (unanimously): that the minutes of the meeting held on 14 October 2011 were approved and signed as a correct record.

25. APPLICATIONS FOR DISPENSATIONS RECEIVED FROM PARISH AND TOWN COUNCILS

One application for a dispensation was reported in respect of Bridstow Parish Council, and because it had not been received prior to publication of the agenda, it would be dealt with at the Committee's next meeting on 20 April 2012.

26. STANDARDS WORKING GROUP - THE FUTURE OF THE LOCAL GOVERNMENT STANDARDS FRAMEWORK

The Committee considered a report from the Standards Working Group about proposals for a new regime of member conduct, following the abolition of the statutory Code of Conduct and penalties through the Localism Act 2012. The recommendations had taken account of the Group Leaders' views expressed at the Working Group's meeting in December 2011. The following principal points were made during the discussion:

- Although the new Standards regime was scheduled to begin from 01 July 2012, insufficient information was currently available from central government to give clarity to what processes would be applied, and what a new Code of Conduct would look like. The Working Group's current proposals would therefore need to be modified to reflect the new legislation and guidance as it emerged, and the Group would meet as necessary to keep pace with any changes.
- The Herefordshire Association of Local Councils (HALC) was keen to consider Herefordshire Council's new Code and arrange for its members to be consulted on it as soon as it was available. The Localism Act had made provision for parish and

town councils to develop their own Codes if desired, and the Committee and HALC shared the view that there was significant merit in administering the new regime through one single Code of Conduct for Herefordshire, if possible. The Association of Council Secretaries and Solicitors was due to agree a proposed national model Code of Conduct in the near future, and the Assistant Director, Law Governance and Resilience would update the Committee, and parish and town councils, on progress as necessary. It was unknown at present whether any authorities who did not adopt a specific Code of Conduct by 01 July, would be required to adopt a national model Code by default.

- Independent members would need to be recruited as early as April 2012 in order to be ready for the new regime. It was still unclear what status existing Independent Members would have in the new arrangements, and whether they would be able to apply for new roles.
- The Working Group had proposed that the Independent Person advising the Monitoring Officer in the new regime would be supported by two local authority members and two parish councillors. In order to minimise potential conflicts of interest, up to three Independent Persons might be required to support the Monitoring Officer.
- Full council would agree the final proposals once the Committee was in a position to make them. The new processes and Code of Conduct were likely to require modification after they were introduced and it was envisaged that the new Standards Panel could be responsible for this, with Council approval.

RESOLVED (unanimously): that the report be noted, and a further report from the Standards Working Group be considered when the new legislation in respect of the Localism Act 2011 is available.

27. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED (unanimously): that under section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

7A Information which is subject to an obligation of confidentiality.

28. LOCAL FILTER CASES AND DETERMINATIONS

The Committee reviewed progress made with complaints about local authority, parish and town councillors since the introduction of the local filter system on 08 May 2008. To date, the assessment and review sub-committees had dealt with 18 complaints in 2008, 50 in 2009, 31 in 2010, 64 in 2011 and 2 in 2012.

The Committee also considered decision notices received from Standards for England in respect of a number of cases that had been referred to them for investigation. Standards for England had decided that no further action was required on all but four of the cases. The four cases which might benefit from further action would either be referred to an assessment sub-committee or a consideration sub-committee – whichever was appropriate – for a decision on what action to take.

RESOLVED (unanimously): that

- (i) the report be noted, and a report about further progress be presented at the next meeting; and**
- (ii) the four cases returned from Standards for England with a recommendation for further action, be considered by an appropriate sub-committee of the Standards Committee.**

29. FUTURE MEETINGS

The Committee agreed the following future meeting dates:

- 20 April 2012 at the earlier time of 10.00 am
- 15 June 2012 at 10.00 am.

The meeting ended at 3.38 pm

CHAIRMAN

