

**PUBLIC QUESTIONS AND ANSWERS TO
AUDIT AND GOVERNANCE COMMITTEE
19 SEPTEMBER 2018**

Question 1

Mr R Stow, Rowleston

Herefordshire Council has a duty in s 27(1) of the Localism Act 2011 to “promote and maintain high standards of conduct by members and co-opted members of the authority”.

This statutory duty, the Nolan Principle of accountability, and the need to maintain public trust in councillors and local democracy, mean that sanctions properly imposed on a Councillor who has breached the code of conduct must be promptly enforced.

Herefordshire Council’s failure to enforce such sanctions will create public cynicism and distrust in the Council, and the perception that Herefordshire Councillors are completely unaccountable for their actions and behaviour.

Why has Herefordshire Council ignored repeated advice from their Independent Person for ten months, and failed to take any action to promptly enforce sanctions imposed on Councillors for proven misconduct?

Response

The council does not currently have any monitoring officer recommendations that have not been complied with.

Question 2

Mrs E Morawiecka, Breinton

At both the General Scrutiny and the Cabinet meetings on the Hereford Transport package, the only experts available to respond to questions and provide further information on the matter were employees of WSP and Balfour Beatty, none of whom had to declare any interests to these committees.

Both WSP & Balfour Beatty stood to gain additional contracts for at least a further £2.54million of work on the development of the Hereford “bypass” if a new route was to be selected, rather than be deferred or rejected.

Would the audit and governance committee please explain why there are no rules requiring declarations of interests, particularly pecuniary interests, for experts invited by the Council to speak at any council committees?

Response

The legal and constitutional requirements for declarations of interest at meetings do not apply to external attendees attending either to ask a question or to answer technical queries raised by the decision-makers.

The council has established contract procedure rules to set clear rules for the purchase of works, goods, services, consultancy, grants and concessions for the council and which are intended to promote good purchasing practice, public accountability and to deter bribery and corruption, in which the probity and transparency of the council's procurement process will be beyond reproach or challenge. The Audit and Governance Committee maintains an overview of the effectiveness of these procedure rules to ensure their continued effectiveness.