

A G E N D A

Standards Committee

Date: **Friday, 7th October, 2005**

Time: **2.00 p.m.**

Place: **Committee Room 1, Town Hall,
Hereford**

Notes: Please note the **time, date** and **venue** of
the meeting.

For any further information please contact:

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Standards Committee

To: Robert Rogers (Independent Member) (Chairman)

Councillors J.W. Edwards and J. Stone
 David Stevens (Independent Member)
 Richard Gething (Parish Council Representative)
 John Hardwick (Parish Council Representative)

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|---|---------|
| 1. APOLOGIES FOR ABSENCE To receive apologies for absence. | |
| 2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda. | |
| 3. MINUTES To approve and sign the minutes of the meeting held on 26 July 2005. | 1 - 2 |
| 4. APPLICATIONS FOR DISPENSATIONS RECEIVED FROM PARISH AND TOWN COUNCILLORS To consider any applications for dispensations received from parish or town councils. | 3 - 4 |
| 5. CODE OF CONDUCT FOR MEMBERS AND OFFICERS DEALING WITH PLANNING MATTERS To review Paragraph 39 of the Code of Conduct. | 5 - 6 |
| Wards: County Wide | |
| 6. CO-OPTED MEMBERS To receive an update on the arrangements in hand to ensure compliance with the Code of Conduct by co-opted members of Herefordshire Council. | 7 - 10 |
| Wards: County Wide | |
| 7. INDEPENDENT MEMBERS' FORUM To review the meeting held in Ludlow on 18 August 2005, and to agree the arrangements in respect of the meeting to be held in Herefordshire on 3 February 2006. | 11 - 12 |
| Wards: County Wide | |
| 8. PARISH AND TOWN COUNCILS - CHAIRMEN AND CLERKS' TRAINING EVENT To receive a verbal report on the training event to be held jointly by the Herefordshire Association of Local Councils and Herefordshire Council on | |

4 October 2005.

Wards: County Wide

9. **QUALITY PARISH AND TOWN COUNCILS** 13 - 16

To consider the Quality Town and Parish Council Scheme in Herefordshire.

Wards: County Wide

10. **ANNUAL ASSEMBLY OF STANDARDS COMMITTEES** 17 - 18

To review the fourth Annual Assembly of Standards Committees, held on 5-6 September 2005 at the International Conference Centre (ICC), Birmingham.

Wards: County Wide

11. **TRAINING PROVIDED BY THE HEREFORDSHIRE ASSOCIATION OF LOCAL COUNCILS** 19 - 26

To update the Committee on the range of training courses made available to town and parish councillors by the Herefordshire Association of Local Councils and to consider a report from Bromyard and Winslow Town Council in respect of its training programme, following the hearing held on 26 July 2005.

Wards: County Wide

12. **DATE OF NEXT MEETING**

To note the date of the next Standards Committee meeting:

- Friday 2 December 2005 at 2:00 p.m.

EXCLUSION OF THE PUBLIC AND PRESS

In the opinion of the Proper Officer, the next items will not be, or are likely not to be, open to the public and press at the time that they are considered.

RECOMMENDATION

That under Section 100(A) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12 (A) of the Act, as indicated below.

13. **DETERMINATIONS BY THE STANDARDS BOARD FOR ENGLAND** 27 - 30

To update the Committee about determinations by the Standards Board for England in 2005 concerning the County.

Wards: County Wide

This item discloses information relating to the financial or business affairs of a particular person (other than the Authority).

14. **REVIEW OF STANDARDS COMMITTEE HEARINGS** 31 - 32

To reflect on the hearings held on 26 July 2005.

Wards: County Wide

This item discloses information relating to the financial or business affairs of a particular person (other than the Authority).

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the Standards Committee held at the Council Chamber, Town Hall, St Owen Street, Hereford on Tuesday 26 July 2005 at 9.00 a.m.

Present: Robert Rogers, Independent Member (Chairman)
Councillor John Stone
Richard Gething (Town and Parish Council Representative)
John Hardwick (Town and Parish Council Representative)
David Stevens (Independent Member)

18. APOLOGIES FOR ABSENCE

Apologies were received from Councillor John Edwards.

19. DECLARATIONS OF INTEREST

There were no declarations of interest made.

20. MINUTES

RESOLVED: (unanimously) that the minutes of the meeting held on 8 July 2005 be approved as a correct record and signed by the Chairman subject to the replacement of “the Council Chamber, Town Hall, St Owen Street, Hereford” with “the Council Chamber, Brockington” as the venue for the meeting.

21. CASE SUMMARY – COUNCILLOR JOHN LANE OF BROMYARD AND WINSLOW TOWN COUNCIL

The case summary was noted.

22. HEARING INTO REPORT OF AN INVESTIGATION UNDER SECTION 66 AND SECTION 82A OF THE LOCAL GOVERNMENT ACT 2000 (AS AMENDED) CONCERNING COUNCILLOR JOHN LANE, A MEMBER OF BROMYARD AND WINSLOW TOWN COUNCIL

The Committee considered an investigation under Sections 66 and 82a of the Local Government Act 2000 by Marie Rosenthal, Monitoring Officer into an allegation concerning John Lane, a member of Bromyard and Winslow Town Council. A Decision Notice has been published recording the Committee’s findings as required.

23. CASE SUMMARY – COUNCILLOR ALBERT HUSSEY OF KINGTON TOWN COUNCIL

The case summary was noted.

24. HEARING INTO REPORT OF AN INVESTIGATION UNDER SECTION 66 AND SECTION 82A OF THE LOCAL GOVERNMENT ACT 2000 (AS AMENDED) CONCERNING COUNCILLOR ALBERT HUSSEY, A MEMBER OF KINGTON TOWN COUNCIL

The Committee considered an investigation under Sections 66 and 82a of the Local Government Act 2000 by Marie Rosenthal, Monitoring Officer into an allegation concerning Albert Hussey, a member of Kington Town Council. A Decision Notice has been published recording the Committee's findings as required.

The meeting ended at 12:40 p.m.

CHAIRMAN

DISPENSATIONS TO TOWN AND PARISH COUNCILS

Report By: County Secretary and Solicitor

Wards Affected

Pontrilas and Sutton Walls

Purpose

1. To consider applications for dispensations received from Garway Parish Council and Sutton Parish Council.

Background

2. Under the Code of Conduct, town and parish councillors are prohibited from participating in matters in which they have a prejudicial interest. Normally, this would not disrupt the operation of town and parish council business. However, there will be occasions when the number of councillors who would be prohibited from participating in a matter would impede the transaction of business.
3. The Relevant Authorities (Standards Committees) (Dispensations) Regulations 2002 allows the Standards Committee to grant dispensation in circumstances where the number of councillors that are prohibited from participating in the business of the council exceeds 50% of those who are entitled or required to participate.
4. In each case, the councillor must request the dispensation in writing setting out why the dispensation is desirable. The Standards Committee must then decide whether, in all the circumstances, it is appropriate to grant the dispensation.
5. The 2002 Regulations also specify two circumstances where a dispensation may not be granted. Firstly, this is in respect of participation in business conducted more than 4 years after the date on which the dispensation was granted. Secondly, in relation to prejudicial interests concerning attendance at a scrutiny committee meeting which is scrutinising the activity of any other committee to which the member belong or for executive members in relation to their own portfolios.

Garway Parish Council

6. Four members of Garway Parish Council have requested a dispensation in relation to their commoners rights on Garway Common.
7. The four members requesting dispensation are as follows:
 - Mr David Redmand Atkinson, Cae Duff, Garway, Herefordshire
 - Mr Anthony Robert Phillips, The Oaks, Garway, Herefordshire
 - Mr Mark Hedley Jones, Yew Tree Farm, Garway Common, Herefordshire
 - Mrs Jane Caroline Trew, Frugaro, Broad Oak, Herefordshire

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

8. The request advised that Garway has approximately 230 acres of common land comprising Garway Hill (209 acres), and Lower Common in the centre of the village which has been used as a sports ground and village centre focal point for many years. The Parish Council has been registered as owners of the common in 1965, following the absence of any known Lord of the Manor, when the Commons Registration Act 1965 came into force. The Parish Council have continued to manage the common and have obtained relevant consents to build a children's playground, maintain and mow the sports field, as well as dealing with issues that arise between commoners. There is currently a proposal for a new village hall to be developed to replace the old one following a postal vote of all parishioners. However, the proposal does not have unanimous support across the community and there is a small group of commoners who have objected to the project.
9. The four members named above all have commoner rights on Garway Common. Additionally, there are currently only five serving members of the council and unless a dispensation is granted, it will not be possible for the Parish Council to continue its role in both managing the common and seeking to develop this important community initiative.

Sutton Parish Council

10. Sutton Parish Council comprises 7 councillors. An important recent community initiative is to develop a new school and community centre for the Sutton St Nicholas village. The Parish Council has raised funds for the community centre. Additionally, of the 7 councillors, Mr Richard Andrews owns the land on which the proposed new community centre is to be built, Mr Max Jenman is Chairman of the Village Hall Committee, Mrs Anne Burke is a member of the Village Hall Committee, and Mr A Walmsley is Chairman of the School Governors.
11. The four councillors have asked the Standards Committee for a dispensation to allow them to discuss the Community Hall Project at parish council meetings. If the dispensation is not granted, these four members would be excluded and the parish council would be unable to progress these important community initiatives.

RECOMMENDATION

- THAT (a) the request for dispensations received from the parish councillors named in the report at Garway Parish Council and Sutton Parish Council be granted; and**
- (b) consideration be given to any other request for dispensation received prior to the meeting.**

BACKGROUND PAPERS

- Letter from the Clerk to Garway Parish Council requesting dispensation received 25 August 2005.
- Letter from the Clerk to Sutton Parish Council dated 2 September 2005 requesting dispensation.

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

HEREFORDSHIRE COUNCIL CODE OF CONDUCT FOR MEMBERS AND OFFICERS DEALING WITH PLANNING MATTERS

Report By: County Secretary and Solicitor

Wards Affected

County wide

Purpose

1. To review paragraph 39 of the Code of Conduct.

Background

2. At its meeting on 17 January 2003, the Council agreed to adopt the Herefordshire Planning Code of Conduct recommended by the Standards Committee based on Government Guidance and practical experience. The Code now features as Appendix 13 in the Council's Constitution.
3. Paragraphs 38 and 39 of the Planning Code of Conduct deal with "applications in which a member of the Council has an interest".
4. The relevant text is repeated below for ease of reference.

Applications in which a Member of the Council has an interest

38. All applications which are submitted by or on behalf of you as a Member of the Council in your private capacity or by a relative or your partner (as defined in the Code of Conduct for Members) must be drawn to the attention of the Head of Planning Services by yourself in writing, and will be reported to the Planning Committee for a decision, rather than being dealt with in accordance with the Scheme of Delegation to Officers.
 39. **You must take no part in the determination of the application. You must declare a prejudicial interest and leave the meeting and not seek to influence any decision made. You may, however, appoint an agent who can speak subject to Standing Order 5.11 (Public Speaking at meetings of Planning Committees and Area Planning Sub-Committee) on your behalf.**
5. The advice is clear in that members who have a prejudicial interest must take no part in the determination of the application. The guide does however allow members who have submitted a planning application in their private capacity to appoint an agent who can speak on their behalf at the Committee.
 6. However, as drafted, it is not clear whether or not this ability to appoint an agent also applies to applications submitted by a "relative or your partner" as set out in

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

paragraph 38. This issue recently arose in connection with an application by a son of one of the Herefordshire Councillors for a planning permission.

7. The Standards Committee considered this matter on 15 October 2004 when it recommended that clarification be sought from the Standards Board for England on the use of agents in planning matters by members with prejudicial interests.
8. Clarification was received from the Standards Committee before the Council meeting on 11 February 2005. On the basis of that advice, clause 39 was left as originally drafted which allows members to appoint an agent.
9. However, as drafted, clauses 38 and 39 would benefit from revision to pick up on the following issues.
 - It is not clear that the affected relative or partner can speak at committee meetings or appoint an agent to speak on their behalf in any event. The prohibition in clauses 38 and 39 applies only to the member.
 - It would be helpful if guidance provided information for the relative or partner affected as to which member, if any, they could approach for advice or support, especially where the 'prejudiced' member is also their local member. This has happened on a number of occasions. It is not clear whether or not the Standards Committee would approve of another member (possibly appointed by the Chair of the main Planning Committee) to provide procedural and other advice to the relative or partner.
 - Additionally, the role of the Town and Parish Council in the planning process needs to be recognised. It is a responsibility of the local member to provide procedural and general advice to their local Town and Parish Council in relation to Herefordshire Council issues including planning matters. Again, if the local member has a prejudicial interest in relation to an application, this does deprive the Town/Parish Council of local advice and assistance. It may be that the Head of Planning Services could fill this role or indeed a nominated member as suggested above.

RECOMMENDATION

THAT the Standards Committee consider the drafting of clauses 38 and 39 and whether any revision is necessary in the light of the concerns outlined above.

BACKGROUND PAPERS

- Appendix 13 of the Council's Constitution

CO-OPTED MEMBERS

Report By: County Secretary and Solicitor

Wards Affected

County-wide

Purpose

1. To update the Committee on the arrangements in hand to ensure compliance with the Code of Conduct by co-opted members of Herefordshire Council.

Background

2. Local authorities have long been able to include within the membership of their committees, persons who are not elected members of the appointing authority. The historic position as set out in the Local Government Act 1972 was modified by the Local Government and Housing Act 1989 by defining, in somewhat complex terms, the two categories of voting and non-voting members of a committee, sub-committee or joint committee. The Local Government Act 2003 extended the approach by giving authorities the power to give voting rights to co-opted scrutiny members. Scrutiny Committees dealing with education matters have, since 2000, also had to co-opt Diocesan representatives and parent governor representatives with voting rights.
3. The general power to co-opt rests with the full Council and not with committees, although the selection of persons to serve as co-opted members is usually left to the committees. There is no power to co-opt onto the full Council.

Co-option in Herefordshire

4. Currently, the Council has appointed co-opted members to several scrutiny committees, as detailed below, and the Standards Committee.
5. The Council amended its Constitution in May 2005, to reflect changing legislation following the implementation of the Children Act 2004. As a result the Council formed the Children's Services Scrutiny Committee. This new Committee primarily assumed the remit of the former Education Scrutiny Committee and those elements relating to childcare previously under the former Social Care & Housing Scrutiny Committee. The Committee is currently reviewing the statutory and co-opted membership of the Committee.
6. **Diocesan Members** – it is required by statute that this Committee formally co-opt Diocesan representatives to serve on the Committee as voting members. Where the remit of the Committee goes wider than matters related to education, as in the case of this Committee, church and parent governor representatives are entitled to vote only on any matter relating to education, whether in respect of schools or wider educational issues. They may in addition speak on any other matters within the remit of the Committee. The current co-opted voting members are:

- Church of England – The Reverend I Terry – appointed November 2003

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

- Roman Catholic Church – Mr J D Griffin – appointed February 2003
7. There is no statutory term of office for the diocesan members. It was agreed in July 2003 that Diocesan Authorities would continue to notify the County Secretary and Solicitor as and when any changes occur to their representation.
 8. **Parent Governor Members** – The School Standards and Framework Act 1998 and the Education (Parent Governor Representatives) Regulations 1999 require education authorities to have parent governor representatives as full members on Scrutiny Committees with voting rights. As in the case of Church representatives they are restricted to voting on educational matters only. They may in addition speak on any other matters within the remit of the Committee.
 9. The Council decided that 3 Parent Governor representatives be appointed following self-nomination via the Hereford Association of Governors. Receipt of multiple nominations results in a ballot of eligible governors. Since May 2000 a number of elections have taken place and the current members are:
 - Primary Schools – Ms K Fitch – appointed May 2004
 - Secondary Schools – Mrs C Woolley – appointed July 2005.
 - Special School – Governor Services attempting to fill the vacancy.
 10. The Regulations with regard to Parent Governors set out that the term shall be “of such duration as the authority shall determine, being a period not less than two years nor greater than four years”. Cabinet in September 1999 decided that “representatives take up their role from the start of the new Council in May 2000. The term of office should be coincident with that of the Council, with any vacancy filled on the basis of completing the remaining period of office”.
 11. In accordance with the Regulations and Cabinet’s decision, providing both current members continue to be eligible parent governors, their term of office will run until the May 2007 Council elections. Provided they continue to be eligible they may stand for re-election for a further term.

Current Non-voting Co-opted Membership and Term

12. The Council has appointed a number of non-voting co-opted members. For completeness, their details are set out below but the Code of Conduct does not apply to them.
13. **Teacher representatives.** These were appointed following secret ballot by teachers in their respective sectors. The current members representing the three teaching sectors are:
 - Primary School Teachers – Mr J D Pritchard – elected March 2001
 - Secondary School Teachers – Mr C Lewandowski – elected April 1998
 - Special School Teachers* – Mr M Carter – elected December 2004.
14. * Following difficulty in appointing a Special School Teacher representative the Education Scrutiny Committee in July 2003, agreed to widen the eligibility for this

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

appointment to include SENCOs (Special Educational Needs Co-ordinators), SEN teachers in primary and secondary schools and Headteachers of special schools.

15. It was agreed in July 2003 that the term of office for non-voting co-opted teacher representatives continue until a request for a new election by teachers is received by the County Secretary and Solicitor.
16. **Headteacher representatives** –The Education Scrutiny Committee in July 2003 agreed that the Associations of Headteachers nominate 1 secondary and 1 primary headteacher to serve as non-voting co-opted representatives on the Committee. The current representatives are:
 - Secondary School Headteachers – Mr A Marson – from November 2003.
 - Primary School Headteachers – Miss S Peate – from January 2004.
17. It was agreed in July 2003 that the term of office should be at the relevant Association's discretion.
18. All voting co-opted members have recently been reminded of the need to keep their Register of Interests up to date and of the requirements of the Code. They have also been invited to participate in the Council's training for councillors in relation to the Code of Conduct. An event is planned for Friday 14 October 2005 at 2.00pm.

RECOMMENDATION

THAT the report is noted.

BACKGROUND PAPERS

- None identified.

INDEPENDENT MEMBERS' FORUM**Report By: Chairman of the Committee****Wards Affected**

County-wide

Purpose

1. To review the meeting held at Ludlow on 18 August 2005 and to agree arrangements in respect of the proposed Independent Members' Forum meeting to be held in Herefordshire on Friday 3 February 2006.

Background

2. The Standards Board for England have encouraged the development of regional forums to support independent members of standards committees with their role and responsibilities. A forum has been initiated for the West Mercia region comprising standards committees within Shropshire, Herefordshire and Worcestershire. These forum meetings have proved extremely useful in providing training, development and support to independent members across the region.
3. The last meeting was held in Ludlow on 18 August 2005 and the Chairman and David Stevens were able to attend. The Committee will be updated at its meeting on the outcome of the forum.
4. Herefordshire has agreed to host the next meeting of the Independent Members' Forum currently scheduled to take place on Friday 3 February 2006.

RECOMMENDATION**THAT the report be noted.****BACKGROUND PAPERS**

- None identified

QUALITY PARISH AND TOWN COUNCILS

Report By: County Secretary and Solicitor

Wards Affected

County wide

Purpose

1. To consider the Quality Parish and Town Council Scheme in Herefordshire.

Background

2. The Rural White Paper "Our Countryside: The Future. A Fair Deal for Rural England", published in November 2000, set out a number of measures to give local people the opportunity to become more involved in the development of their communities. It viewed parish and town councils as the democratic bodies with the closest direct links to their communities, and as such, ideally placed to contribute to the community in the long-term. The White Paper proposed a number of initiatives designed to enhance the role of parish and town councils, one of which is the introduction of the concept of a "Quality Parish or Town Council".
3. Quality Status is part of the Government's drive to modernise local government, and aims to equip parish and town councils to take on a stronger community role and be more in touch with the people they serve, and should be achievable by any parish or town council regardless of size or location. Achieving quality status demonstrates that a council has met certain minimum standards expected from an effective, representative and active council. The scheme is voluntary. Hereafter in this report, any reference to parish councils also includes town councils.

Achieving Quality Status

4. To obtain Quality Status, a parish council must demonstrate that it:
 - Is representative of, and actively engages with, all parts of the community, providing vision, identity, and a sense of belonging;
 - Is effectively and properly managed;
 - Has the ability and capacity to take on the enhanced role and responsibility that Quality Status is likely to bring.
5. The following tests have been devised to measure the above criteria, and a parish council must pass each one (and provide the required evidence) to be awarded Quality Status. As a general rule, the tests exceed the statutory duties with which parish councils must comply, and they represent standards which a well-run parish council that works for its community should be meeting:
 - **Electoral Mandate:** For first accreditation, at least 80% of all council seats must be filled at the beginning of the four-year term by members who have been nominated and stood for election (this does not mean that there *must* be an election, however, because in parishes where there are more seats than

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

nominees, the Returning Officer automatically declares the nominees "elected" without the need for a ballot). For reaccreditation, this figure must be 100%.

- **Qualifications of the Clerk:** The Clerk must hold either:
 - i. Certificate in Local Council Administration awarded by the Assessment and Qualification Alliance (AQA); or
 - ii. Certificate of Higher Education in Local Policy of Local Council Administration awarded by the University of Gloucestershire.
- **Council Meetings:** The Quality scheme goes beyond the minimum requirements of one annual meeting and at least three others during the year, to stipulate:
 - i. Six meetings per year. The annual meeting can count as one of the six.
 - ii. Notices of the meeting must be publicly displayed at least three clear days before each meeting;
 - iii. The Minutes of the meeting must be published within two months of the meeting and available for inspection by any elector in the parish;
 - iv. Each meeting must allow time for public participation;
 - v. All councillors must attend the meeting unless there is a good reason for absence.
- **Communication:** There are mandatory and discretionary elements to this test. The mandatory requirements are:
 - i. The parish council must produce a newsletter to local people at least four times a year, and it must be readily available at public sites across the parish;
 - ii. The newsletter must include information on the names of councillors and the clerk and how they can be contacted;
 - iii. A synopsis of the annual report should be provided to all local people.

The discretionary elements relate to other appropriate communications activities (for example, maintaining a parish council website, email facilities, councillor surgeries), and parish councils must meet at least nine of these requirements.
- **Annual Reports:** Parish councils must produce an annual report, updating the community on its achievements.
- **Accounts:** Parish councils must maintain accurate and transparent financial arrangements, and allow electors adequate and timely access to information, in compliance with the Accounts and Audit Regulations 2003 (SI 2003/533 refers).
- **Ethical Framework:** This is based on the requirements of the Local Government Act 2000, and all parish councils have had to adopt a new Code of Conduct from May 2002. All councillors must sign up to the Code and register their interests (the Parish Councils (Model Code of Conduct) Order 2001, SI 2001/3576 refers).

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

The Benefits

6. The primary aim of Quality Status is to provide considerable benefits to the community which the parish council serves. Quality parish councils play an enhanced role in the community:
 - As an integral part of all consultation and co-ordination arrangements set up by local authorities and other service providers;
 - In the discussion, management and delivery of services;
 - In the provision of access points to information on services of local authorities and other service providers.

Quality Status In Herefordshire

7. At present, some fifteen parish councils in Herefordshire are working towards Quality Status, with one (Pembridge) having a qualified clerk. The Council and Herefordshire parish and town councils adopted the "Charter for Herefordshire Councils" in November 2002 (available on the Council's website). It is a working document which will be reviewed regularly, and sets out how the authorities will work together in partnership. Part 2 of the Charter details the ways in which Herefordshire Council will work with parish councils, summarised briefly as:
 - **Community Strategies:** Where a quality council has prepared a Parish Plan, Herefordshire Council will take account of proposals and priorities in developing the local community strategy;
 - **Information Points:** Herefordshire Council will help quality councils to become local information points by providing all the necessary information and application forms for its services, and by providing adequate training;
 - **Land Use and Development Planning:** Herefordshire Council will adopt as Supplementary Planning Guidance, any village or town plans prepared by parish councils. In addition, it will consider and discuss any proposed changes to the current development plan for the area;
 - **Delegation of Functions and Service Provision:** Quality councils are able to take on a variety of services and functions usually provided by Herefordshire Council. Examples include street cleaning, Tree Preservation Orders, issue of bus and rails passes, and some aspects of leisure and tourism (a full list of functions is appended to the Charter document).
8. In addition, Herefordshire Council assists the attainment of Quality Status by supporting the Herefordshire Association of Local Councils through a Service Level Agreement (SLA). Some of the SLA funding (£10,500.00 per annum at present) goes towards providing a training programme for clerks. The Council's Parish Liaison Officer facilitates the Quality Status process through his role as the central point of contact between the Councils and parish councils, and through his presence on the County Training Partnership and the County Parish Plan Steering Group.

RECOMMENDATION

THAT the report be noted.

BACKGROUND PAPERS: ODPM Publication: "The Quality Parish and Town Council Scheme Explained" Charter for Herefordshire Councils (published November 2002)

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**Report By: County Secretary and Solicitor****Wards Affected**

County-wide

Purpose

1. To review the Fourth Annual Assembly of Standards Committees held on 5/6 September 2005 at the International Conference Centre (ICC), Birmingham.

Background

2. The Standards Board for England have been hosting an annual conference of standards committees since 2001. These occasions have become important events in both training and developing Standards Committee members and also allowing for a series of high-level debates with government ministers and other stakeholders in developing the ethical framework for local government.
3. The Fourth Assembly was entitled "Ethical Standards – In Your Hands" and focused on developing participants' skills in dealing with investigations and local hearings.
4. The conference programme included a number of important plenary sessions (attended by over 800 delegates) led by Phil Woolas MP, Minister for Local Government, and Sir Alistair Graham, Chair of the Committee on Standards in Public Life. The conference also held a number of workshops, question and answer sessions and partnership events looking in more detail at investigations, hearings and decision-making.
5. David Prince, the Chief Executive of the Standards Board for England (SBE) was also able to present the Annual Report 2004/05 "Taking an Objective Approach – Regulation with a Local Focus". The SBE have met a number of key objectives over the year including:
 - Clearing the backlog of 400 investigations that had built up whilst the full legislative framework was put in place.
 - Speeding up investigations – completing nearly twice as many during 2004/05 as the previous year.
 - Halving the time taken to make a decision or whether to investigate a complaint.
 - Filtering out malicious, vexatious and tit-for-tat complaints.
 - Focusing positively on cases with the potential to damage local democracy.
 - Enabling successful local investigations.
 - Encouraging local authorities to take leadership on ethics.
 - Developing the ethical governance toolkit jointly with the Audit Commission and the Improvement and Development Agency.

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

6. The Committee were able to send a significant number of delegates this year from the Committee.
- Robert Rogers
 - David Stevens
 - Councillor John Edwards (Chairman)
 - Councillor John Stone (Vice-Chairman)
 - John Hardwick

RECOMMENDATION

THAT the Committee note the report.

BACKGROUND PAPERS

- Conference papers for the Fourth Annual Assembly of Standards Committee 5/6 September 2005.

TRAINING PROVIDED BY THE HEREFORDSHIRE ASSOCIATION OF LOCAL COUNCILS

Report By: County Secretary and Solicitor

Wards Affected

County-wide

Purpose

1. To update the Committee on the wide range of training courses made available to town and parish councillors by the Herefordshire Association of Local Councils and to consider a report from Bromyard and Winslow Town Council in respect of its training programme, following the hearing held on 26 July 2005.

Background

2. Under the Council's Constitution, the Standards Committee have the following role and function.
 - Promoting and maintaining high standards of conduct by the councillors and co-opted members of the Council.
 - Assisting councillors and where appropriate co-opted members, to observe the Council's Code of Conduct.
 - Advising the Council on the adoption or revision of the Council's Code of Conduct.
 - Monitoring the operation of the Council's Code of Conduct.
 - Advising, training or arranging to train the councillors and co-opted members of the Council on matters relating to the Council's Code of Conduct.
 - Exercising the above functions in relation to parish councils for which it is the responsible authority, and the members of those councils.
 - Granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Council's Code of Conduct.
 - Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer or any matter which is referred by an Ethical Standards Officer to the Monitoring Officer.
3. As part of its responsibility in relation to advising, training or arranging to train councillors, the Committee have worked with the Herefordshire Association of Local Councils (HALC). HALC run an annual programme of training and development and have been monitoring attendance across the 136 town and parish councils for which the Committee is responsible. The current programme for 2005/06 is set out at Appendix A.

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

4. A schedule showing current attendance by individual councils is attached at Appendix B.

RECOMMENDATION

THAT the Committee note the report.

BACKGROUND PAPERS

- None identified

****Denotes 'HINTS' (Herefordshire Informal National Training Strategy) - A rolling programme leading to CiLCA-Certificate in Local Council Administration***

July 2005

September 2005

Wednesday 21st ... 'Open Secret' - facts on Data Protection/Freedom of Information.

Thursday 29th ... '2010 and beyond' – innovative ways to ensure an effective council.

October 2005

Tuesday 4th ... 'On the ball' - informal key briefings for Chairmen & Clerks. FREE.

Thursday 20th ... 'Back to Basics' – general ground-rules for Parish Councils.

*Saturday 22nd ... 'HINTS' Roles & Responsibilities + Law (*leading to CiLCA*).

Monday 24th ... 'Bright Ideas'

November 2005

Saturday 12th ... 'Actions speak louder than words' – Parish Plans and techniques for action (via Parish Plan County Steering Group). FREE.

Wednesday 16th ... 'Power to the People' – Facts about parishioner rights, including Parish Meetings; Parish Polls; Allotment provision; Elections etc.

*Saturday 19th ... 'HINTS' – Procedures + Finance (*leading to CiLCA*).

December 2005

Saturday 3rd December – 'HINTS' – Planning + Community Action (*leading to CiLCA*).

Thursday 8th December – 'Two can Tango' – Effective ways of working with your Village Hall, including:- project management, VAT, grants, trusteeships; licensing.

January 2006

*Saturday 21st ... 'HINTS' Roles & Responsibilities + Law (*leading to CiLCA*).

Wednesday 25th ... 'Grassroots' – understanding Common Land and Village Greens

February 2006

Monday 13th ... 'A year in the life of' an efficient council – Quality Parish issues.

*Saturday 18th ... 'HINTS' Procedures + Finance (*leading to CiLCA*)

Tuesday 28th ... 'Bermuda Triangle' – role of Chairman/Clerk/Councillor – including:- employment and health & safety issues.

March 2006

*Saturday 11th ... 'HINTS' Planning + Community Action (*leading to CiLCA*).

Monday 13th ... 'Footsteps' – parish council route into:- rights of way; definitive maps; access to countryside; Local Access Forum.

Wednesday 15th ... 'Back to Basics' - general ground-rules for Parish Councils.

Wednesday 22nd ... 'Planning Principles' – local, regional & national framework.

Evening Courses 7-9.30 pm ... Saturday Courses 9.30-4.00 pm

| | |
|---------------------------------|----|
| ABBEYDORE & BACTON GROUP | 1 |
| Aconbury Parish Meeting | 0 |
| ACTON BEAUCHAMF GROUP | 0 |
| ALLENMORE | 1 |
| ALMELEY | 0 |
| ASHPERTON | 1 |
| ASTON INGHAM | 0 |
| AVENBURY | 0 |
| AYMESTREY | 6 |
| BALLINGHAM, BOLSTONE & HENTLAND | 1 |
| BARTESTREE & LUGWARDINE GROUP | 6 |
| BELMONT RURAL | 0 |
| BIRLEY WITH UPPER HILL | 0 |
| BISHOP'S FROME | 0 |
| BISHOPSTONE & DISTRICT GROUP | 5 |
| BODENHAM | 1 |
| BORDER GROUP | 2 |
| BOSBURY | 0 |
| BRAMPTON ABBOTS & FOY | 0 |
| BREDENBURY | 0 |
| BREINTON | 6 |
| BRIDSTOW | 8 |
| BRILLEY | 2 |
| BRIMFIELD & LITTLE HEREFORD | 0 |
| BROCKHAMPTON | 0 |
| BROCKHAMPTON GROUP | 0 |
| BROMYARD TOWN | 5 |
| BURGHILL | 0 |
| CALLOW & HAYWOOD | 0 |
| CLEHONGER | 4 |
| CLIFFORD | 0 |
| COLWALL | 6 |
| CRADLEY | 1 |
| CREDENHILL | 0 |
| CUSOP | 10 |
| DILWYN | 0 |

| | |
|---------------------------------------|----|
| DINEDOR | 0 |
| Dinmore Parish Meeting | 0 |
| DORMINGTON & MORDIFORD | 4 |
| DORSTONE | 1 |
| EARDISLAND | 0 |
| EARDISLEY GROUP | 4 |
| EASTNOR & DONNINGTON | 0 |
| EATON BISHOP | 0 |
| EWYAS HAROLD GROUP | 2 |
| FOWNHOPE | 1 |
| FOXLEY | 1 |
| GARWAY | 0 |
| GOODRICH | 0 |
| HAMPTON BISHOP | 0 |
| Hampton Charles Parish Meeting | 0 |
| HATFIELD & DISTRICT GROUP | 0 |
| HEREFORD CITY | 0 |
| HOLME LACY | 0 |
| HOLMER & SHELWICK | 1 |
| HOPE MANSELL | 0 |
| HOPE UNDER DINMORE GROUP | 0 |
| HOW CAPLE, SOLLERSHOPE & YATTON GROUP | 0 |
| HUMBER STOKE PRIOR & FORD GROUP | 0 |
| HUNTINGTON | 0 |
| KENTCHURCH | 0 |
| KILPECK GROUP | 16 |
| KIMBOLTON | 0 |
| KINGS CAPLE | 0 |
| KINGSLAND | 0 |
| KINGSTONE | 5 |
| KINGTON RURAL & LOWER HARPTON GROUP | 0 |
| KINGTON TOWN | 1 |
| KINNERSLEY & DISTRICT GROUP | 0 |
| LEA | 0 |
| LEDBURY TOWN | 12 |
| LEINTWARDINE GROUP | 0 |

TRAINING PLACES TAKEN 2004/5

| | |
|--|----|
| LEOMINSTER TOWN | 5 |
| LINTON | 0 |
| LITTLE BIRCH | 0 |
| LITTLE DEWCHURCH | 0 |
| LLANGARRON | 0 |
| LLANWARNE & DISTRICT GROUP | 0 |
| LONGTOWN GROUP | 4 |
| LOWER BULLINGHAM | 4 |
| LUSTON GROUP | 1 |
| LYONSHALL | 0 |
| MADLEY | 1 |
| MARDEN | 1 |
| MARSTOW | 0 |
| MATHON | 0 |
| MIDDLETON ON THE HILL & LEYSTERS GROUP | 0 |
| MONKLAND & STRETFORD | 9 |
| MORETON ON LUGG | 2 |
| MUCH BIRCH | 2 |
| MUCH COWARNE GROUP | 3 |
| MUCH DEWCHURCH | 0 |
| MUCH MARCLE | 0 |
| NORTH BROMYARD GROUP | 0 |
| OCLE PYCHARD | 3 |
| ORCOP | 0 |
| ORLETON | 1 |
| PEMBRIDGE | 3 |
| PENCOMBE GROUP | 0 |
| PETERCHURCH | 1 |
| PETERSTOW | 0 |
| PIPE & LYDE | 0 |
| PIXLEY & DISTRICT | 1 |
| PUTLEY | 6 |
| PYONS | 0 |
| RICHARD'S CASTLE | 2 |
| ROSS ON WYE TOWN | 11 |
| SELLACK | 1 |

TRAINING PLACES TAKEN 2004/5

| | |
|----------------------------------|---|
| SHOBDON | 6 |
| ST WEONARDS | 0 |
| STAPLETON GROUP | 0 |
| STAUNTON ON WYE & DISTRICT GROUP | 0 |
| Stoke Edith Parish Meeting | 0 |
| STOKE LACY | 2 |
| STRETTON GRANDISON GROUP | 0 |
| STRETTON SUGWAS | 0 |
| SUTTON | 2 |
| TARRINGTON | 6 |
| THORNBURY GROUP | 0 |
| TITLEY & DISTRICT GROUP | 2 |
| UPTON BISHOP | 0 |
| VOWCHURCH & DISTRICT GROUP | 1 |
| WALFORD | 0 |
| WELLINGTON | 0 |
| WELLINGTON HEATH | 1 |
| WELSH NEWTON & LLANROTHAL GROUP | 2 |
| WEOBLEY | 3 |
| WESTON BEGGARD | 1 |
| WESTON UNDER PENYARD | 4 |
| WHITBOURNE | 0 |
| WHITCHURCH & GANAREW | 9 |
| WIGMORE | 1 |
| WITHINGTON GROUP | 0 |
| WOOLHOPE | 2 |
| WYESIDE GROUP | 6 |
| YARKHILL | 3 |
| YARPOLE GROUP | 0 |

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