

AGENDA

Standards Committee

Date: **Friday 11 December 2009**

Time: **10.00 am**

Place: **Room 18a, First Floor, Brockington, 35 Hafod Road,
Hereford, HR1 1SH**

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

For any further information please contact:

Heather Donaldson, Democratic Services Officer

Tel: 01432 261829

Email: hdonaldson@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Heather Donaldson, Democratic Services Officer on 01432 261829 or e-mail hdonaldson@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Standards Committee

Membership

Chairman for this Hearing:	David Stevens	Independent Member
	Jake Bharier	Independent Member
	Isabel Fox	Independent Member
	Richard Gething	Parish and Town Council Representative
	John Hardwick	Parish and Town Council Representative
	Robert Rogers	Independent Member and Chairman of the Standards Committee
	John Stone	Local Authority Representative
	Beris Williams	Local Authority Representative

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

AGENDA

	Pages
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. EXCLUSION OF THE PUBLIC AND PRESS In the opinion of the Proper Officer, the following items will not be, or are likely not to be, open to the public and press at the time they are considered. RECOMMENDATION: that under section 100(A)(4) of the Local Government Act 1972, the public 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.	
4. MINUTES To approve and sign the minutes of the meeting held on 11 September 2009. <i>(This item discloses information which is subject to an obligation of confidentiality)</i>	5 - 8
5. HEARING To consider an investigation in accordance with the Local Government Act 2000, and to conduct a Standards Committee Hearing. <i>(This item discloses information which is subject to an obligation of confidentiality)</i>	9 - 192

Your Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt information'.
- Inspect agenda and public reports at least three clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. A list of the background papers to a report is given at the end of each report. A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, its Committees and Sub-Committees and to inspect and copy documents.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Please Note:

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

- Public transport access can be gained to Brockington via bus route 75.
- The service runs every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus-stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

HEREFORDSHIRE COUNCIL

MINUTES of the Hearing of Standards Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 11 September 2009 at 10.00 am

Present: David Stevens (Independent Member)(in the chair)

Jake Bharier (Independent Member)
 Richard Gething (Parish and Town Council Representative)
 John Hardwick (Parish and Town Council Representative)
 John Stone (Local Authority representative)
 Beris Williams (Local Authority Representative)

14. ELECTION OF CHAIRMAN

RESOLVED: (unanimously) that in the absence of Mr Robert Rogers, the Chairman of the Standards Committee, Mr David Stevens be elected Chairman for the duration of the hearing.

15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Ms Isabel Fox and Mr Robert Rogers.

16. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Member	Agenda Item	Interest
Councillor John Stone	3. Hearing	Declared a personal interest on the grounds that he had known the Subject in a political capacity for a number of years. He remained in the meeting for the duration of the item.
Councillor Beris Williams	3. Hearing	Declared a personal interest on the grounds that he had known the Complainant and his family for a number of years. He remained in the meeting for the duration of this item.

17. 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), specifically that it disclosed information which is subject to an obligation of confidentiality.

18. HEARING

The Committee considered an advice note which had been issued by the Monitoring Officer, and which highlighted additional matters in relation to the Investigating Officer's report in respect of a complaint received about a particular town, parish or local authority councillor.

The Standards Committee carefully considered all matters in relation to the Investigating Officer's report, and the advice note provided by the Monitoring Officer.

RESOLVED: (unanimously) that:

- (i) the Standards Committee Hearing be adjourned under the provisions of Regulation 18(8) of the Standards Committee (England) Regulations 2008;
- (ii) the scope of the Hearing be widened to consider whether the Subject had used his position improperly to secure an advantage to himself or disadvantage to another, namely the Complainant;
- (iii) the Monitoring Officer be instructed to seek further information and produce a supplementary report to be considered at a re-convened hearing, having first shared the supplementary report with the Subject, and given him opportunity to comment.

The meeting ended at 10.20 am

CHAIRMAN

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

