

MINUTES of the meeting of Standards Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 1 April 2011 at 2.00 pm

Present: David Stevens (Independent Member) (Vice chairman in the Chair)
Jake Bharier (Independent Member)
Isabel Fox (Independent Member)
John Hardwick (Parish and Town Council Representative)
Richard Gething (Parish and Town Council Representative)
John Stone (Local Authority Representative)
Beris Williams (Local Authority Representative)

In attendance: Mary Morris (Substitute Parish and Town Council Representative)

42. APOLOGIES FOR ABSENCE

Apologies for were received from Nicky Carless (Substitute Parish and Town Council Representative) and Robert Rogers (Chairman) (Independent Member).

43. DECLARATIONS OF INTEREST

Councillor John Stone declared a personal interest in Agenda Item 7 (Local filter Cases and Determinations) and remained in the meeting for the duration of this item.

44. MINUTES

RESOLVED: (unanimously) that the minutes of the meeting held on 14 January 2011 be approved as a correct record and signed by the Chairman, subject to the following amendment:

- **Minute 37 (Declarations of Interest):** the name "Councillor Beris Williams" be deleted and replaced with the name "Jake Bharier".

45. APPLICATIONS FOR DISPENSATIONS RECEIVED FROM PARISH AND TOWN COUNCILS

There were no applications for dispensations received.

Members felt that there was merit in contacting all parish and town council clerks, to remind them of the potential need to apply for dispensations in respect of any new councillors, following the May 2011 local elections.

RESOLVED: (unanimously) that

- (i) the report be noted; and
- (ii) the Committee Manager arranges for reminders to be sent out to all parish and town council clerks in respect of applying for dispensations for new councillors as necessary, following the May 2011 local elections.

46. THE FUTURE OF THE LOCAL GOVERNMENT STANDARDS FRAMEWORK

The Committee considered the progress of the Decentralisation and Localism Bill, and discussed recent developments in relation to the outlook for standards and ethics in local government, and the potential future role of the Committee.

Mr Richard Gething reported on the views of the Herefordshire Association of Local Councils (HALC) and the National Association of Local Councils (NALC), that although there was significant merit in retaining a code of conduct in a post-Standards Board regime, it would only be effective if it were obligatory rather than voluntary. Both organisations foresaw significant problems with a voluntary code through inconsistencies in adoption and a universal inability to enforce it, and expressed a preference for no code at all in the absence of any realistic alternatives. Furthermore, both organisations were concerned that neither the Local Authority, nor the Local Government Ombudsman would have any legal jurisdiction over parish and town councils once the Bill took effect. With further devolvement of powers to parish and town councils on planning matters due to take place, the need for them to be publicly accountable was likely to increase.

The Assistant Director – Law Governance and Resilience outlined the possible role of Monitoring Officers under the proposed new regime, that they might be expected to resolve standards and ethics issues locally, and that there might be a future role for a Standards Committee in view of this. In response to a question, he confirmed that all Members of the Council would be briefed on the present situation with the Bill and the continued role of the Committee, during their post election induction seminars, due to commence in June 2011.

RESOLVED: (unanimously) that the report be noted.

47. 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.

48. LOCAL FILTER CASES AND DETERMINATIONS

The Committee reviewed progress made on 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 eighteen complaints in 2008, fifty in 2009, thirty-one in 2010 and seventeen in 2011.

RESOLVED: (unanimously) that the report be noted.

The meeting ended at 3.05 pm

CHAIRMAN