

**LOCALISM AND DECENTRALISATION BILL  
COMMENTS OF THE HEREFORDSHIRE STANDARDS COMMITTEE**

Views expressed at the Standards Committee meeting held on 14 January 2011:

**Consultation:** Initial responses from members of the Herefordshire Association of Local Councils (HALC) had indicated a strong wish to adopt a voluntary code of conduct after the existing Code was repealed. There was merit in a wider consultation to ascertain the opinions of all councillors and the general public in Herefordshire in respect of a voluntary code, and of how standards and ethics should be shaped locally. The Committee agreed that this would be done through consultation at annual parish meetings, and via a report to Council.

**Parish and Town Councils:** Members recognised that, in respect of handling complaints, parish and town councils might be required to develop a separate system of regulation to local authorities in the future, based on factors such as the differences in their functions and powers, and those bodies which had jurisdiction over complaints. For example, the Local Government Ombudsman currently had powers to handle complaints about local authority councillors, but not parish and town councillors. Such a situation would be detrimental to parish and town councils might struggle to address issues of governance, particularly if the only means of handling complaints came every few years via the ballot box. Lengthy periods without additional mechanisms for dealing with complaints might contribute to increased dysfunction. Complaints about issues such as bullying or racism would need to be dealt with immediately. The Committee agreed that it was imperative to develop a uniform and consistent approach to standards and ethics for all councillors.

**Support for a Voluntary Code of Conduct:** Whilst recognising the merits of a voluntary code of conduct, members also observed that there would inevitably be councils, and even individuals within any one council, who would be unwilling to adopt a voluntary code. This raised questions about its validity, and the potential difficulties of enforcing it. The Committee also recognised the importance of consensus amongst all of the local authority political groups to ensure the success of a voluntary code.

**Dispensations:** Clarity was required on how dispensations to town and parish councils would be granted following repeal of the Code and its supporting legislation. There appeared to be no other statutory areas in existence that would cover this function.

**Planning Functions:** The Bill proposed that more planning functions would be devolved to parish and town councils. Members expressed concern that a significant proportion of complaints about parish and town councillors related to planning matters, and that, without appropriate support and training, this trend would worsen.

**Future Role of Standards Committees:** There would be a future role for local Standards Committees in relation to the development and application of a voluntary code of conduct. The role of independent members would be an important part of this, particularly in providing assurances to the public. Although there were some similarities between the work of the Standards Committee and the Audit and Governance Committee, their remits were likely to remain substantially different, and so amalgamation of the two was not envisaged.