

MINUTES of the meeting of Standards Committee held at Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 3rd December, 2004 at 3.00 p.m.

Present: Robert Rogers (Independent Member)(Chairman)
Councillors Peter Harling and John Edwards
David Stevens (Independent Member)
Richard Gething (Parish Council Representative)
John Hardwick (Parish Council Representative)

In attendance: Councillors R.M. Wilson

20. APOLOGIES FOR ABSENCE

There were no apologies for absence

21. DECLARATIONS OF INTEREST

There were no declarations of interest

22. MINUTES

RESOLVED: That the minutes of the meeting held on 15th October 2004 be approved as a correct record and signed by the Chairman.

Arising on minute 13 (Planning Code of Conduct revisions) The County Secretary and Solicitor reported that the Standards Board for England had confirmed its view that agents could speak on behalf of Councillors at meetings of Planning Committees.

Minute 14b (Applications for dispensations received from Town and Parish Councillors) The County Secretary and Solicitor reported that she had suggested to Dinedor Parish Council that they attempt to co-opt a member onto their Committee to overcome the problem of not qualifying for dispensation.

Minute 15 (Third Annual Assembly of Standards Committees) The County Secretary and Solicitor said that a report would be submitted to a future meeting of the Committee in respect of the tenure and terms of appointment of Standards Committee Members

23. STANDARDS COMMITTEE ANNUAL REPORT 2003-04

The County Secretary and Solicitor presented a report about the work undertaken by the Standards Committee in 2003-04 and suggesting that an Annual Report be published. The Committee considered details of the report and agreed to several amendments including details about its members and some minor alterations to the wording of the text of the report.

RESOLVED (unanimously) that (a) the report be received and noted and (b) the revised report be circulated to Hereford and Worcester Fire and Rescue Authority, Herefordshire Association of Local Councils, Local Councils, the Standards Board for England and the Local Press

24. APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS

The Committee considered the report of The County Secretary and Solicitor on an application for dispensation received from Bartestree with Lugwardine Group Parish Council. She said that at its last meeting on 15th October the Committee had granted dispensation to eleven members of Bartestree with Lugwardine Group Parish Council who were Trustees of Bartestree Village Hall, a registered charity. Prior to the meeting the Parish Council had requested an additional member be granted dispensation but this had not been reported at the meeting. The Committee agreed that the additional member should be added to the list of those members granted dispensation.

RESOLVED (unanimously) that Councillor P A Wargent of Bartestree with Lugwardine Group Parish Council be granted a dispensation in respect of Bartestree Village Hall

25. THE FREEDOM OF INFORMATION ACT 2000 AND THE IMPLICATIONS ONFOR THE STANDARDS COMMITTEE

The County Secretary and Solicitor presented a report about the Freedom of Information Act 2000 and the implications it would have for the work of the Standards Committee. She said that the Act, which would come into force on 1 January 2005, was aimed at giving the public greater access to information and promote transparency and openness in government.

The Act gives members of the public a right of access to all recorded information held by Herefordshire Council, and would impose obligations to disclose information and to provide advice and assistance to those requesting information. She outlined the procedure involved, the arrangements for records management and the impact that the provisions of the Act could have on the work of the Standards Committee. She said that there were a number of exemptions contained within the Act which may be relevant to the work of the Committee, particularly Section 30 which related to investigations and proceedings conducted by public authorities.

The Committee was concerned that the Office of the Deputy Prime Minister was very late in issuing detailed guidance on the operation of the Act, particularly in view of the fact that it was due to come into force shortly.

RESOLVED (unanimously) that the Committee note the impact of the Act and the effect that it would have on their procedures and practices and that The County Secretary and Solicitor arrange for the Chairman to be notified of any requests in respect of the Standards Committee under the provisions of the Act

26. TRAINING AND DEVELOPMENT

The County Secretary and Solicitor outlined the work of the Council's Members' Development Working Group in respect of training for Councillors. A number of events had been run during the year including training on the Code of Conduct and the Planning Code of Conduct. In January the Standards Committee had undergone joint training with the Committee of Worcestershire County Council and the Hereford and Worcester Fire and Rescue Authority. Councillor Richard Gething outlined the training courses which the Hereford Association of Local Councils had run for its Members. He said that future training would include Chairmanship of meetings and it was felt useful if the Standards Committee could have a slot at this event.

Mr David Stevens mentioned that at the recent Annual Assembly of Standards Committees proposals were formulated for a joint meeting of the Independent Members of the Standards Committees of Herefordshire, Shropshire and Worcestershire. The Chairman felt that it would be more beneficial for a joint meeting of all members of Standards Committee and he would contact the convenor at South Shropshire District Council to ascertain if this could be done.

27. SELECT COMMITTEE EVIDENCE

The Committee noted the written evidence which had been submitted to the Select Committee investigating the role and effectiveness for the Standards Board for England.

28. PUBLIC INTEREST REPORT - KINGTON TOWN COUNCIL

The Committee noted the public interest report which had recently been published by the District Auditor concerning Kington Town Council. The County Secretary and Solicitor outlined the content of the report and meetings that she had recently held with the Town Council about the matter. The Chairman said that he would write to the Mayor of the Town Council outlining the help that would be offered in respect of an Action Plan that was being prepared for the future conduct of the Council

29. DATE OF NEXT MEETING

It was agreed that the next meeting would be held on Friday 4th February 2005

30. DETERMINATIONS BY THE STANDARDS BOARD FOR ENGLAND 2004

The Committee considered a report on current investigations by the Standards Board for England in respect of complaints of alleged misconduct against certain Councillors

31. LOCAL DETERMINATION OF COMPLAINTS

The Committee considered the arrangements for hearing a complaint against a local Councillor which had been referred to it by the Standards Board for England. The County Secretary and Solicitor reported on the arrangements and noted that the Committee had powers to appoint a panel for the hearing. The Committee agreed with the view of the Chairman that it was preferable for the entire Committee to be involved in the hearing, especially as it was the first one that would be dealt with locally. The hearing would be held on 14th January 2005 with provision for the Committee to adjourn and reconvene on 28th January if necessary. The County Secretary and Solicitor would arrange for the details about the case to be submitted to Members at the earliest opportunity

The meeting ended at Time Not Specified

CHAIRMAN

