

## **REPORT OF THE STANDARDS COMMITTEE**

### **Meetings held on 3 December 2004 and 14 January, 2005**

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#### **Membership:**

Robert Rogers (Independent Member) (Chairman); Councillor Peter Harling; Councillor John Edwards; Richard Gething (Town and Parish Council Representative); John Hardwick (Town and Parish Council Representative); David Stevens (Independent Member),

#### **STANDARDS COMMITTEE ANNUAL REPORT 2003-04**

1. We have prepared our first Annual Report, which covers the Committee's role, its membership, work programme and current issues. The report reflects a busy year for the Committee. We have sought to ensure that Herefordshire demonstrates best practice and is at the forefront of national developments. The regulation of standards is now part of public life, and plays an important part in enhancing and maintaining public confidence; but the credibility of the system in local government, as elsewhere, depends upon it being open, fair and proportionate. These principles are at the heart of our approach. We are circulating the report to Hereford and Worcester Fire and Rescue Authority, the Herefordshire Association of Local Councils, Town and Parish Councils in the County, the Standards Board for England and the local media. The report has been attached to this report (Appendix 1 refers), and is also available on the Council's website.

#### **APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS**

2. Under the Code of Conduct councillors may not participate in matters in which they have a prejudicial interest. In the normal course of events this would not prejudice the proper working of the councils, but there are instances where the number of councillors who would be prohibited from participating would impede the transaction of business. Section 97(1) of the Local Government Act 2000 authorises the Standards Committee to grant dispensations in relation to Herefordshire Council and town and parish councils in the County.

We have granted a dispensation to a further member of Bartestree with Lugwardine Group Parish Council in addition to the ten members who also qualify in respect of their membership of Bartestree Village Hall Committee.

#### **THE FREEDOM OF INFORMATION ACT 2000 AND THE IMPLICATIONS FOR THE STANDARDS COMMITTEE**

3. We have reviewed the implications of the Freedom of Information Act 2000 (which came into force on 1 January this year) for our work.

#### **TRAINING AND DEVELOPMENT**

4. We have noted the work of the Council's Members' Development Working Group on training. Several training events during the year have included sessions on the Code of Conduct and the Planning Code of Conduct. In January last year we undertook joint training with the Committee of Worcestershire County Council and the Hereford and Worcester Fire and

Rescue Authority. This focused on the procedure for local hearing of complaints, which has proved especially useful now that complaints have begun to be referred to us by the Standards Board for England. The Herefordshire Association of Local Councils has run training events for its members; sessions on chairing skills are planned and we hope to participate. We are also investigating joint training with the Standards Committees of adjoining Authorities.

## **INQUIRY INTO THE ROLE AND EFFECTIVENESS OF THE STANDARDS BOARD FOR ENGLAND**

5. We have submitted written evidence to the House of Commons Select Committee which monitors the Office of the Deputy Prime Minister (Housing, Planning, Local Government and the Regions) in its Inquiry into the role and effectiveness of the Standards Board for England. Our evidence (which among other things emphasised the need for complaints to be dealt with quickly) is on the Council website and is also available with other evidence to the Inquiry on [www.parliament.uk](http://www.parliament.uk).

## **PUBLIC INTEREST REPORT – KINGTON TOWN COUNCIL**

6. We have considered the District Auditor's recent public interest report on Kington Town Council. It resulted from allegations that the basis of employment of the Town Clerk was unlawful and that the Council had no statutory power to pay the Town Clerk's legal expenses. The District Auditor did not uphold these objections but expressed concern about the Town Council's corporate governance arrangements. In the light of the report, the County Secretary and Solicitor has held meetings with the Town Council, and as a Committee we are supporting the Council's action plan responding to the report.

## **INVESTIGATIONS BY THE STANDARDS BOARD FOR ENGLAND**

7. We have considered a progress report on current investigations by the Standards Board for England.

## **LOCAL DETERMINATION OF COMPLAINTS**

8. On 14 January 2005 we held our first hearing of a complaint referred to the Committee for adjudication by the Standards Board for England. Our full Decision notice on that hearing is on the Council's website. A further case has been referred to us for investigation; the hearing will be held on 4 March 2005.

**ROBERT ROGERS  
CHAIRMAN  
STANDARDS COMMITTEE**

## **BACKGROUND PAPERS**

- Agenda papers of the meetings of the Standards Committee held on 3 December 2004 and 14 January, 2005