

WYRE FOREST DISTRICT COUNCIL
ETHICS AND STANDARDS COMMITTEE
THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN
30TH NOVEMBER 2006 (6.00PM)

PRESENT:

Councillors: Mrs S M Hayward, P Dyke, Mrs L Edginton, M J Hart, J A Shaw, J C Simmonds and K J Stokes.

INDEPENDENT MEMBERS:

Mrs A McDowell (Chairman), C J Brighton and Rev. J Cox.

PARISH COUNCIL REPRESENTATIVE

Councillor R Hobson.

OBSERVERS:

There were no members present as observers.

ES.23 APOLOGIES FOR ABSENCE

There were no apologies for absence.

ES.24 APPOINTMENT OF SUBSTITUTES

No substitutes were appointed.

ES.25 DECLARATION OF INTERESTS

There were no declarations of interest.

ES.26 MINUTES

DECISION:

The minutes of the meeting held on 6th March 2006 be confirmed as a correct record and signed by the Chairman.

ES.27 RETIREMENT OF THE CHAIRMAN OF THE ETHICS AND STANDARDS COMMITTEE

A report was considered from the Monitoring Officer that informed Members of the impending retirement of the Chairman of the Ethics and Standards Committee and gave details of the process for her replacement.

The Monitoring Officer expressed her thanks for the work that Mrs McDowell had undertaken over the last four years, both as a Chairman and member of the Committee. She commended her for being a good Chairman who had willingly participated in events as an independent member. She informed members of the Committee that an advertisement had been placed in a local newspaper for a replacement member and that interviews would be held shortly.

Councillor Shaw on behalf of the Committee and Councillor Hart on behalf of the Council's Administration, thanked Mrs McDowell for the conscientious way in which she had carried out her duties.

Mrs McDowell thanked members of the Committee for their kind sentiments. She thanked the Monitoring Officer and the Committee Officer for their help over the past four years. She also thanked her fellow independent members for their support. She told the Committee that Wyre Forest District Council was an excellent example in that it had not had to hold any local hearings regarding any of its councillors.

DECISION:

The report be noted.

ES.28 UPDATE ON THE REVIEW OF THE CODE OF CONDUCT

A report was considered from the Monitoring Officer that updated Members of the Committee regarding the review of the Code of Conduct.

The Monitoring Officer informed members that whilst it had been anticipated that the Revised Code would have been received by now it appeared that it would now be received in the new Municipal Year. Training would be provided for members on the new Code to coincide with the election of new Members.

She anticipated that the new Code would be simplified following the comments received by the Standards Board during the consultation period. In particular it was anticipated that where councillors found themselves in 'dual hatted' situations wearing their different hats e.g. as a councillor and member of an outside organisation the Code would be revised to allow greater participation by members.

A discussion ensued on the fact that members were supposed to be advocates for their local community. The conditions of the current Code led to occasions where there was a threshold that they could not cross as they had to declare a prejudicial interest.

The Monitoring Officer stated that the Committee would need to consider the revised Code in detail in order to resolve issues about its parameters.

DECISION:

The update on the Code of Conduct Review be noted.

ES.29

REPORT BACK ON THE WEST MERCIA INDEPENDENT MEMBERS' FORUM MEETING

An oral report was given to the Committee by Reverend Cox concerning the Independent Members' Forum meeting that he had attended in Oswestry on 7th June 2006.

He stated that members of the Forum had been welcomed by the Mayor of the Borough of Oswestry. The Mayor had talked about the Code of Conduct and difficulties members faced when they had been lobbied and thereby had to declare an interest in a matter. He stated that it had been a humorous speech but it had emphasised the need that in order for councillors to be effective they had to be involved in local matters.

He said that the Independent Members' Forum had discussed matters pertaining to local hearings that had been held by various authorities. An interesting point had been raised regarding the role of the Monitoring Officer in hearings. An authority had involved their Monitoring Officer in a hearing and then realised that it would preclude it from receiving his advice. The Forum had therefore suggested that a Monitoring Officer should not be involved in the actual hearing of a case so that he/she could take an independent advisory role.

He said that another interesting discussion had taken place on whether the position of Chairman and Vice-Chairman of Ethics and Standards Committees should be held by independent members. The majority view of the Forum was that these positions should be filled by independent members.

He informed the Committee that the Forum had set up a database containing information relating to members of the Forum. Shropshire County Council had kindly offered to maintain the database in order to keep it up to date.

He outlined an interesting debate that the Forum had held on independent members attending Council meetings of the authority of which they were a member. In general the Forum had perceived this to be a good ideal but had

said that independent members should associate too closely with the councillors.

He stated that another interesting idea that had been put forward was that there needed to be a uniform way in which members received induction training. It had also been suggested that when training was being arranged by one authority that they might like to approach neighbouring authorities so they could also avail themselves of the training.

DECISION:

The feedback from Reverend Cox on the Independent Members' Forum be noted.

ES.30 EXCLUSION OF THE PRESS AND PUBLIC

DECISION:

Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 8 and 9 of Part I of Schedule 12A of the Act.

ES.31 SUMMARY OF MINUTES

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as "exempt information" would be disclosed if the minutes were published in full.

ES.32 MINUTES

The exempt minutes of the meeting held on 6th March 2006 were confirmed as a correct record and were signed by the Chairman.

ES.33 COMPLAINTS TO THE LOCAL GOVERNMENT OMBUDSMAN 2005/2006

A report was considered from the Chief Executive that outlined the outcome of complaints to the Local Government Ombudsman for the period April 2005 to March 2006.

The meeting ended at 6.35 pm.