

**Minutes of the Meeting of
Shropshire and Wrekin Fire Authority
Standards Committee
held at Brigade Headquarters, Shrewsbury
on Wednesday, 26 April 2006 at 5.00 pm**

PRESENT: Councillors Morgan (Vice-Chair), Mellings and Mrs Holyoak and non-elected Independent Member, Mr Tebbutt (Chair)

1 Apologies for Absence

Apologies for absence had been received from Mr Webb. Councillor Morgan had advised that he might be a few minutes late.

2 Minutes

Resolved: *that the minutes of the last meeting of the Standards Committee, held on 24 January 2006, be agreed and signed by the Chair as a correct record.*

3 Declarations of Interest

There were no declarations of interest.

4 Public Questions

No questions had been received from members of the public.

Councillor Morgan arrived at this point.

5 Amendments to Terms of Reference of the Standards Committee and Role Description of Independent Members

This report proposed amendments to the Terms of Reference of the Standards Committee and the Role Description for Independent Members of that Committee to take into account the responsibility for local investigation and determination of alleged breaches of the Code of Conduct.

Resolved: *that the Committee agree, and recommend to the Fire Authority, the proposed amendments to the terms of reference of the Standards Committee and to the Role Description for Independent Members of that Committee.*

6 Access to Information Relevant Authorities (Standards Committee) (Amendment) Regulations 2006

This report informed the Committee about the changes made by the Relevant Authorities (Standards Committee) (Amendments) Regulations 2006.



The Group Solicitor referred to the three exemption criteria governing the deliberations of a Standards Committee or sub-committee of a Standards Committee and specifically paragraph c) on page two of the report. He advised that section 60 of the Local Government Act 2000 related to cases where an Ethical Standards Officer of the Standards Board for England had conducted an investigation and referred the matter back to the Monitoring Officer. Section 64 related to cases where an Ethical Standards Officer had produced a report and referred the matter to the Standards Committee for local determination. The other sections of the Act mentioned in that paragraph referred to the position in Wales.

Members agreed that there should be a presumption of openness and transparency, so, wherever possible, the hearing of cases should be conducted in public. There might, however, be cases where they would need to consider whether part of a hearing should be conducted in private.

Resolved: *that the Committee:*

- a) *Note the contents of the report; and*
- b) *Agree that the Clerk and Monitoring Officer make any amendments as appropriate to the practice and procedures of the Committee in order to ensure that there was compliance with the new legislation relating to access to information.*

7 Dispensations

This report provided further information regarding the process for determining dispensation applications (following the report provided to the Committee at the previous meeting) together with a copy of the amended draft dispensation application form for further amendment and/or approval.

Resolved: *that the Committee:*

- a) *Note the contents of the report; and*
- b) *Approve, without further amendment, the dispensations application form, attached as an appendix to the report, for use by Members of the Fire Authority, when making dispensation applications to the Committee.*

8 Complaints Made to the Standards Board for England against Fire Authority Members March 2005 – March 2006

This report informed the Committee of complaints made to the Standards Board for England in respect of any potential breach of the Code of Conduct for Members during the period March 2005 to March 2006 and confirmed the outcome of any such complaints.

The Committee was pleased to note that there had been no complaints during that period.

Resolved: *that the Committee note the contents of the report.*

9 Annual Assembly

It was noted that the Fifth Annual Assembly of Standards Committees would take place on 16 and 17 October 2006 at the International Conference Centre,

Birmingham. Two places had been booked, one for a Member of the Standards Committee and one for an officer of the Fire Authority. It was proposed that whoever was the Chair of the Standards Committee at that time should attend.

Councillor Morgan said how useful he had found attendance at the Assembly the previous year and suggested that perhaps a second Member of the Committee should attend. Members were, however, concerned about the cost and felt that a report from officers providing feedback from the Assembly would provide sufficient dissemination of the issues covered.

Resolved: *that an officer of the Fire Authority and whoever is Chair of the Standards Committee at that time attend the Fifth Annual Assembly of Standards Committees.*

10 Eleventh Annual Report of the Committee on Standards in Public Life

This report provided details of the contents of the Eleventh Annual Report of the Committee on Standards in Public Life. It was noted that the date given in the first paragraph of section 5 of the report should have been 7 March 2005, not 24 March 2005.

The Group Solicitor advised that the full Eleventh Annual Report could be accessed on the following website:

www.public-standards.gov.uk

Resolved: *that the Committee note the contents of the Group Solicitor's report.*

11 West Mercia Independent Members' Forum

It was noted that the minutes from the last meeting of the West Mercia Independent Members' Forum, held on 3 February 2006, were not yet available. The Chair of the Committee, therefore, gave a verbal summary of that meeting. It had focussed on local determination hearings of alleged breaches of the Members' Code of Conduct and those attending had provided valuable details of their experiences over the last two years.

A discussion took place regarding the number of appeals heard by the Adjudication Panel for England (a separate body from the Standards Board responsible for hearing appeals against local determinations and more serious cases referred to it by the Board) and the appeals procedure. The Clerk advised that she had raised concerns at the Fourth Annual Assembly of Standards Committees in 2005 about the lack of written procedures but she did not know how many appeals had been lodged or whether the Adjudication Panel now had written procedures in place. The Clerk undertook to bring a report to the next meeting of the Committee on these issues.

Resolved: *that the verbal report of the Chair be noted.*

12 Ethical Standards Bulletin

Members considered the latest Ethical Standards bulletin issued by Borough of Telford & Wrekin. The bulletins were circulated to all Members of the Fire Authority (as well as Members of Borough of Telford & Wrekin and the Town and Parish

Councils within the Borough). Members were asked to consider whether they wished the bulletins to be brought to meetings of the Committee for discussion.

The Committee agreed that the Bulletin was extremely informative and helpful and they thanked the Group Solicitor for his hard work in producing it. Councillor Mellings asked whether there had been any Adjudication Panel decisions relating to Members of fire and rescue authorities. The Clerk thought that there had been one but undertook to confirm this. It was noted that further details of the cases summarised in the Bulletin could be found on the website of the Adjudication Panel for England:

www.adjudicationpanel.co.uk

Resolved: *that each Ethical Standards Bulletin be brought to the Committee for discussion.*

13 Standards Board Bulletin

Members considered the latest bulletin issued by the Standards Board for England. Each bulletin was circulated to all Members of the Standards Committee. Members were asked to consider whether they wished these bulletins to be brought to meetings of the Committee for discussion and also whether they should be circulated to all Members of the Fire Authority.

Having agreed that the Bulletin provided useful information, Members

Resolved: *that each Bulletin be brought to the Committee for discussion and sent to all other Members of the Fire Authority for information.*

14 October Meeting

The Standards Committee had been scheduled to meet on 16 October 2006. This date, however, clashed with the Fifth Annual Assembly of Standards Committee and Members were, therefore, asked to agree an alternative date for the meeting.

Resolved: *that the date of the October meeting of the Standards Committee be brought forward to 11 October.*

The meeting closed at 6.05 pm.

CHAIR:.....

DATE:.....