

WILTSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

10 MARCH 2010

VENUES FOR STANDARDS COMMITTEE HEARINGS

Purpose of Report

1. To review the current arrangements regarding venues for Standards Committee hearings.

Background

2. Since Wiltshire Council became a unitary authority in 2009 its Standards Committee has assumed the statutory responsibility for the local determination of complaints brought under the Code of Conduct for members not only for elected members of the unitary authority, but also for members of town and parish councils in the authority's area.
3. This new responsibility has resulted in complaints being brought about members of towns and parishes across the area. The current arrangements are for Standards Committee hearings to determine these complaints to take place in County Hall. The Chair of the Standards Committee has asked for officers to review these arrangements and to report to the Committee.

Main considerations for the Committee

4. The underlying purpose of the legislation relating to the introduction and implementation of a statutory Code of Conduct for elected councillors is to promote public confidence in local democracy. One of Wiltshire Council's primary aims is to deliver transparent and accountable services with a focus on local communities. Both of these considerations tend towards the conclusion that it would support the legislative intent of the Code of Conduct and the strategic aims of Wiltshire Councils to conduct Standards Committee hearings relatively close to the community the councillor in question has been elected to represent.
5. Conducting hearings locally will enable local residents to attend hearings relatively easily, should they choose to do so, thus providing them with the opportunity to see that determinations are conducted openly and fairly. It will give the public an increased opportunity to engage with the process, thus reinforcing public confidence in the process and raising the public profile of the Standards Committee's role.
6. Consultation with town and parish council representatives on the role and functions of the Standards Committee was conducted by Wiltshire County Council as part of the transition preparations for a unitary authority for Wiltshire. There was strong support from the town and parish representatives who part in the consultation for local hearings. One of the aspects of the former district councils that they valued was their relative proximity to the towns and parishes for which their Standards Committees had responsibility in relation to the Code.

7. For these reasons, it seems desirable to consider conducting determination hearings that arise from complaints about town and parish councillors closer to their councils' location than the current arrangements allow.
8. One alternative would be to arrange for hearings to take place in local parish halls or other similar venues. However, the premises may not necessarily be suitable for hearings, might not be available in a timeframe that would enable a hearing to take place within the statutory timescales, and there is very likely to be a rental cost involved. There is no current budget provision for premises rental.
9. Wiltshire Council has retained and continues to use the buildings occupied by the former district councils, thus ensuring that there service delivery "hub" in each of the council's areas. The former district councils used their offices as venues for determination hearings, and this arrangement appears to have been satisfactory.
10. The use of the service hubs in Melksham, Salisbury, Devizes and Trowbridge as venues for determination hearings would balance the desirability of holding hearings locally to the subject member's town or parish with the need to ensure reliability and quality of venues and affordability. There would be no cost associated with the use of the hubs for determination hearings.
11. There may occasionally be exceptional circumstances (e.g. special needs of one of the key parties) when it would be necessary to consider hiring a more local venue, and this option is not therefore ruled out for such cases.
12. Wiltshire Council members are elected to represent the whole area. For that reason, it is likely that County Hall will still be the most appropriate venue for hearings when the subject member is a member of Wiltshire Council.

Proposals

13. Subject to availability of "hub" venues within the statutory timescales, to conduct local determination hearings in the Wiltshire Council "hub" office most local to the town or parish to which the subject member has been elected.
14. To allow flexibility in these arrangements to accommodate exceptional circumstances, such as the special needs of the subject member or key witnesses.
15. For local determinations in cases where the subject member is a member of Wiltshire Council to continue to take place at County Hall.

Training and Communications Issues Arising

16. There are no training or communications issues arising from the proposals made in this report that would require the formation of a task and finish group of the Standards Committee. Communication would take place as part of the normal administrative tasks involved in arranging a hearing. There are no training requirements.

Risks

17. There are no risks associated with the proposals made in this report.

Ian Gibbons
Monitoring Officer

Report Author: Nina Wilton – Head of Governance

The following unpublished documents have been relied on in the preparation of this Report: None