

HERTFORDSHIRE COUNTY COUNCIL

REPORT OF THE POLICY COMMITTEE 30 APRIL 1998

NOTE: Full copies of the reports mentioned below have been sent to members of the Policy Committee and other members who have requested them. Further copies are, however, available from Janet Purcell, Room 222, County Secretary's Department, County Hall, Hertford. (Telephone: 01992 555562)

1. STANDING ORDERS FOR EXTRAORDINARY COUNCIL MEETINGS

The Committee have considered amendments to Standing Orders to clarify the procedures to be followed at extraordinary meetings of the Council.

The Committee propose amendments that will:

- specify the provision allowing the Chairman of the Council 7 days in which to call the meeting (this is a legal requirement of the Local Government Act 1972)
- confirm that the business to be transacted at the meeting is the business specified in the requisition
- disapply the Standing Orders on Questions (including questions to the Hertfordshire Police Authority). This will ensure that the meeting focuses only on the business specified in the summons
- amend the Standing Order on Public Petitions so that only petitions relating to the business on the agenda may be presented
- allow the Chairman (or 5 requisitioning members) to specify a deadline by which notice of motions must be lodged with the County Secretary, which is shorter than the 5 days or 14 days required by Standing Orders at present.

1.1 RECOMMENDATION

That Standing Order 2 for meetings of the Council be amended:-

- (a) so that Standing Order 2(2) reads as follows:

“On a requisition signed by any five members of the Council the Chairman shall call an extraordinary meeting. If the Chairman refuses to call an extraordinary meeting, or fails to do so within 7 days after the requisition has been presented to him, the five members may call a meeting at any time and in any place in Hertfordshire.”

- (b) so that the following is added as new (3):

“(3) These Standing Orders shall apply to extraordinary meetings subject to the following modifications:

a) the summons sent to every member by virtue of Standing Order 3(1)(b) shall state the business specified in the requisition as the business to be transacted at the extraordinary meeting.

b) Standing Order 7 (Questions) shall not apply to extraordinary meetings.

c) Standing Order 15 (Petitions) shall only apply so as to allow public petitions which relate to the business to be transacted at the meeting.

d) Standing Orders 8(2) and 8(3) (Notice of Motions) shall not apply to extraordinary meetings.

e) when sending the summons to every member, the Chairman, or the 5 members of the Council who requisitioned the extraordinary meeting as the case may be, shall notify every member of the time and date by which written notice of motions in relation to the business to be transacted at the extraordinary meeting shall be lodged with the County Secretary. However that time and date shall be no later than 5 p.m. on the second day before the extraordinary meeting.”

2. (1) **PROTOCOL FOR RELATIONSHIPS BETWEEN MEMBERS AND OFFICERS**
(2) **PROCEDURE FOR COMPLAINTS AGAINST MEMBERS**
(3) **REVISED PROCEDURES FOR THE CONDUCT OF BUSINESS**

[Full copies of these documents have been issued to all Members.]

The Policy Committee on 6 November 1997 established a Standards Panel to oversee the implementation of the recommendations of the Committee on Standards in Public Life chaired by Lord Nolan (the ‘Nolan Committee’) and also to advise on matters of propriety and to monitor the County Council’s complaints and whistleblowing procedures.

2.1 Protocol governing relationships between members and officers

The Nolan Committee recommended, in its report issued in July 1997, that every local authority should establish a protocol governing relationships between officers and members, emphasising the distinct roles of each.

The Standards Panel looked at the Council's Procedures for the Conduct of Business and the Code of Conduct for Officers and measured the extent to which current practice matched the Nolan requirements. Then, incorporating examples of good practice elsewhere, they developed a protocol which has been agreed by the Committee.

The protocol covers:-

- Personal Relationships
- Support to Members
- Officers and the Groups
- Member access to information
- Correspondence between Members and Officers.

2.2 Procedure for complaints against members

Another Nolan recommendation was that every local authority should establish a procedure to deal with complaints against members. Again the Standards Panel looked at existing internal procedures, complaints procedures and practices elsewhere, in order to develop a new procedure, which has now been agreed by the Committee.

This will apply when a member of the public (not a member of staff or another member of the Council) wishes to complain that a member of the Council has failed to comply with the National Code of Conduct for Councillors, or has not dealt properly with constituency matters.

2.3 Revised Procedures for the Conduct of Business

These have been amended so as not to duplicate the guidance in the new member/officer relationships protocol mentioned above.

3. DECLARATION OF BENEFITS TO POLITICAL PARTIES - MOTION REFERRED FROM COUNCIL

The Committee considered the following motion referred to them by the County Council on 17 February:-

“That the Leader and Deputy Leader of the Council and Leader of the Opposition:-

- (1) Declare any benefits (in cash or kind) that accrue to their respective political parties by way of donation, contribution or subscription from any person, persons, company or organisation that will benefit from the County Structure Plan - especially so far as the proposed developments west of Stevenage and at Hemel Hempstead are concerned

and

- (2) undertake to disclose to the Council and the Hertfordshire public any such benefit in the future in accordance with accepted standards of probity in national and local government.”

The Committee have agreed:-

“That the Leader and Deputy Leader of the Council and Leader of the Opposition ensure that information about any benefits (in cash or kind) that accrue to their respective political parties is declared to the Council and to the Hertfordshire public in accordance with the recommendations of the Neill Committee on Standards in Public Life.”

I H Laidlaw-Dickson
Chairman

County Hall
Hertford

30 April 1998