

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **STANDARDS COMMITTEE** held in Room 14, Priory House, Monks Walk, Shefford on Friday, 1 May 2009

### PRESENT

Mr K Ford (Chairman)  
Miss D C Maggs (Vice-Chairman)  
Cllr P Rawcliffe (Vice-Chairman)

Cllrs: Mrs R Bird  
J H Lewis  
A A J Rogers

Independent Members: Mr J Dann  
Mr K Frazer  
Mr M Jones

Parish Representatives: Mr B Collier  
Mrs K Cursons  
Dr W J Eilbeck  
Ms J Hughes

Apologies for Absence: Cllrs Mrs J Fairbairn  
Ms J Rollings

Member in Attendance: Cllr R G Baker BEM

Officers in Attendance: Mrs M Clampitt – Democratic Services Officer  
Mrs B Morris – Assistant Director Legal & Democratic Services and Monitoring Officer

#### STD/08/1 **Election of an Independent Chairman for the Municipal Year 2009/10**

The Monitoring Officer invited nominations for Independent Chairman of the Standards Committee for the Municipal Year 2009/10.

There were two nominations received and seconded for Miss D C Maggs and Mr K Ford. Voting was carried out by show of hands and Mr Ford was duly elected.

### **RESOLVED**

***that Keith Ford be elected as Independent Chairman of the Standards Committee for the Municipal Year 2009/10.***

**STD/08/2 Appointment of Vice-Chairmen for the Municipal Year 2009/10**

The Chairman of the Standards Committee invited nominations for the Vice-Chairmen of the Standards Committee for the Municipal Year 2009/10.

It was noted that there would be two Vice-Chairmen, one would be an Independent Member and the other would be an elected Member of the Council.

Miss D C Maggs was duly elected as the Independent Vice-Chairman and Cllr P Rawcliffe was duly elected as the Member Vice-Chairman until the Elections in June.

**RESOLVED**

***that Miss D C Maggs and Cllr P Rawcliffe be elected as Vice-Chairmen of the Standards Committee for the Municipal Year 2009/10.***

**STD/08/3 Minutes**

**RESOLVED**

***that the Minutes of the predecessor authorities be received and signed as follows:-***

- (i) Bedfordshire County Council – 5 December 2008***
- (ii) Mid Bedfordshire District Council – 3 December 2008***
- (iii) South Bedfordshire District Council – 20 November 2008***

**STD/08/4 Members' Interests**

**(a) Personal Interests:-**

None.

**(b) Personal and Prejudicial Interests:-**

None.

**STD/08/5 Public Participation**

There were no applications from members of the public to speak under the Public Participation Procedure allowed for under Part A4 of the Constitution.

STD/08/6 **Code of Conduct Case Profile from the Standards Board of England**

The Committee received the report of the Monitoring Officer, which brought to the Members attention a letter received from the Standards Board of England, dated 30 March 2009, in respect of the Code of Conduct Case Profiles from the former Mid Bedfordshire, South Bedfordshire Districts and Bedfordshire County Councils.

The Committee welcomed the summary and noted that all but three of the Open Cases from the Legacy authorities had been completed by 31 March 2009. The remaining three live cases were being dealt with as follows: one case by the Standards Board of England, one case would be a Standards Hearing and the final case would be heard at an Assessment Sub-Committee.

It was noted that Regulations, effective from 11 March 2009, allowed for the cases to be heard by Central Bedfordshire Council.

**RESOLVED**

***that the report of the Monitoring Officer be received and noted.***

STD/08/7 **Bringing Standards into Focus - Standards Board Conference 12 - 13 October 2009**

The Committee received and considered the report of the Monitoring Officer, which brought to the Members' attention the date of the Annual Assembly of the Standards Board for England and to determine those attending the Conference.

This year's Conference would be "Bringing Standards into Focus" on the 12 and 13 October 2009 at the International Convention Centre, Birmingham. The Conference would hold a range of sessions including:-

- Making sense of political party governance and discipline
- Exploring the effectiveness of the ethical environment
- Working effectively with Members, Council Leaders and Chief Executives to embed high standards in the culture and governance of the Authority
- Improving the skills of the Standards Committee.

The Monitoring Officer or her representative would be accompanied by one Independent Member (Mr J Dann), one Town & Parish Representative (Cllr B Collier) and one elected Member (selection to be deferred until after the 4 June Elections).

**RESOLVED**

***That the attendance at the Standards Board Annual Assembly on 12 and 13 October 2009 in Birmingham having been determined to include the Monitoring Officer or her representative, Mr Dann (Independent Member), Cllr B Collier (Town & Parish Representative) and one elected Member (to be appointed after the 4 June Elections).***

STD/08/8      **Standards Board Bulletin No. 42**

The Committee received the report of the Monitoring Officer, which drew to Members' attention the latest Bulletin issued by the Standards Board for England.

Members were informed that the Indemnity Insurance Coverage was in place. It was also noted that the bulletin included the quarterly returns.

In response to a question regarding possible future joint working with other local authorities, the Monitoring Officer confirmed that this would be investigated at a later date.

**RESOLVED**

***that the Standards Bulletin No. 42, as attached to the report of the Monitoring Officer, be noted.***

STD/08/9      **Members' Declarations of Interest Form and Guidance Notes**

The Committee received the report of the Monitoring Officer, which reviewed the Members' Interest Forms and Guidance Notes for use post June 2009.

The Committee noted that the Members' Declarations of Interest Form and Guidance Notes were best practice and agreed them as set out.

**RESOLVED**

***that the Register of Interest Form and Guidance Notes to be used post elections June 2009, as attached to the report of the Monitoring Officer, be approved.***

STD/08/10      **Criteria for Initial Assessments by Standards Sub-Committees**

The Committee considered the report of the Monitoring Officer, which requested Members to adopt criteria in respect of determination of initial assessments of complaints and referrals back to the Standards Board for England.

The Committee noted that the Standards Board had issued guidance in relation to the Standards Committee (England) Regulations 2008, which stated that good practice was for Councils to adopt criteria for the initial assessments and matters being referred back to the Standards Board.

A change was proposed for the Initial Assessment Sub-Committee Criteria for Assessment, at Appendix "A" as follows:-

Point 2. The named Member was in office at the time of the alleged conduct, the Code of Conduct was in force at the time and the Member had signed up to the Code.

Two changes were proposed for the Criteria to be adopted for referrals back to the Standards Board of England as follows:-

First paragraph last line – 'Standard' should have an 's' added to the end.

Next sentence – the word 'cause' should be 'course'.

### **RESOLVED**

***that the criteria attached at Appendix "A" to the report of the Monitoring Officer, for the initial assessments of complaints and referrals back to the Standards Board for England as amended in the preamble above, be adopted.***

## STD/08/11 **Hearing Procedure**

The Committee considered the report of the Monitoring Officer, which sought approval of the Standards Committee's Hearing Procedure and decision notice.

The Committee provided comments on three documents as follows:-

Appendix "A" – Hearings Procedure for the Standards Committee

Interpretation – item 1 the definition of "Member" to be revised to include the following wording 'which includes Central Bedfordshire Councillors, Town and Parish Representatives and Co-opted Members.'

Legal Advice – the last sentence to now read: 'The substance of any legal advice given to the Committee would be shared in the Public Domain with the Member and the Investigator if they are attending the hearing.'

Appendix "B" – Flowchart – had the following changes:-

'Ethics &' removed from boxes 6 and 8. Also the addition of an arrow pointing to the box on the right in item 9.

Appendix "C" – Decision Notice – had the following change:-

Paragraph 5.3 removal of 'Ethics & '.

**RESOLVED**

***that the Hearing Procedure and Decision Notice attached at Appendix "A" to the report of the Monitoring Officer, as amended in the preamble above, be approved.***

STD/08/12 **Workplan for 2009/2010**

The Committee received and considered the report of the Monitoring Officer, which sought the views and to receive comments on a workplan for the Standards Committee for 2009/10.

The Committee expressed concern at dealing with the Planning and Licensing Codes in July. It was proposed that the Codes be considered in November and that the Gifts and Hospitality and the Officer Member Protocol be considered in July. In addition, there would be a report on the Whistleblowing Code in February.

There will be referrals to the Constitution Working Group in relation to the name by which the two Vice-Chairmen (Deputy Chairmen) were to be referred.

The Monitoring Officer confirmed that there would be three Town & Parish Council Code of Conduct training sessions. It was agreed that two would be held in the evening between 7 – 9 pm and 1 session during the day between 2 – 4 pm. The daytime session and one of the evening session would be held at Priory House whilst the second evening session would be held at the Dunstable Offices. Standards Members would be invited to attend.

**RESOLVED**

***that the Workplan 2009/10 as amended at Appendix "B" to the report of the Monitoring Officer, be approved.***

STD/08/13 **Standards Complaint Form**

The Committee received and considered the report of the Monitoring Officer, which requested a review of the Complaint Form for submission of standards complaints.

The Committee requested a number of changes which included the following:

- Part B item 4 – removal of the word 'have'.
- Part B item 5 – the second sentence be moved to above the paragraph/box at the end of Part B and emboldened.
- Part B item 5 second paragraph replace 'also' with 'very' and also add the word 'relevant' in front of 'evidence' in the same sentence.

- Part B item 5 last bullet point – include the words ‘from the date’ after ‘28 days’.
- Part C item 6 second bullet point – add the words ‘ that you’ at the beginning of the wording.

The Committee felt that these changes would help emphasis the importance of supporting documentation being included with complaints.

**RESOLVED**

***that the Standards Complaint Form and Guidance as set out in Appendix “A” to the report of the Monitoring Officer as amended in the preamble above, be approved.***

STD/08/14     **Timing of Future Meetings**

The Committee considered the start time and location for future meetings of the Standards Committee. There was a consideration of several options but for the immediate future meetings will be held at 9.30 a.m. at the Priory House offices. A further review would be considered at a later date.

**RESOLVED**

***that future meetings of the Standards Committee be held at 9.30 a.m. at the Priory House offices.***

(Note:     The meeting commenced at 9.30 a.m. and concluded at 10.45 a.m.)