

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Martha Clampitt
direct line 0300 300 4032
date 21 October 2010

NOTICE OF MEETING

STANDARDS COMMITTEE

Date & Time

Friday, 29 October 2010 9.30 a.m.

Venue at

Room 15, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the STANDARDS COMMITTEE :-

Councillors:	P Rawcliffe(Vice-Chairman), Mrs J G Lawrence, A A J Rogers, J Street and G Summerfield,
Independent Persons:	Mr K Ford(Chairman), Mr J Dann, Mr K Frazer, Mr M Jones and Miss D C Maggs (Vice-Chairman)
Town and Parish Representatives:	Mr B Collier, Dr W J Eilbeck, Ms J Hughes, Mr J Lewis and Mr B Saunders

Other Members of the Council – as requested.

All other Members of the Council - on request

**MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING**

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members.

2. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Standards Committee held on 14 May 2010.

(previously circulated)

3. **Members' Interests**

To receive from Members declarations and the nature thereof in relation to:-

- (a) Personal Interests in any agenda item
- (b) Personal and Prejudicial Interests in any agenda item

4. **Public Participation**

To deal with general questions and statements from members of the public in accordance with the scheme of public participation set out in Annex 1 to Part A4 of the Constitution.

5. **Petitions**

To receive petitions in accordance with the scheme of public participation set out in Annex 2 in Part A4 of the Constitution.

REPORTS

Item	Subject	Page Nos.
6	Standards Board Bulletin No.48 To draw to Members' attention the latest Bulletin issued by the Standards for England.	* 11 - 16
7	Notifications of Gifts and Hospitality declared by Central Bedfordshire Members To update the Committee on gifts and hospitality declared by Central Bedfordshire Councils Members from May to October 2010.	* 17 - 20

8 **Update on Current Standards Matters**

* 21 - 26

To advise Members on the latest position relating Assessment, Reviews and Hearings.

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **STANDARDS COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Friday, 14 May 2010

PRESENT

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

Cllrs: Mrs J G Lawrence
A A J Rogers
J Street
G Summerfield

Independent Member(s): Mr J Dann
Mr K Frazer
Mr M Jones

Parish Representatives: Dr W J Eilbeck
Mr J Lewis

Apologies for Absence: Cllrs Mr B Collier
Ms J Hughes
Mr B Saunders

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

STD/10/1 **Election of Chairman for the Municipal Year 2010/11**

The Monitoring Officer invited nominations for Independent Chairman of the Standards Committee for the Municipal Year 2010/11.

Mr Keith Ford was the only candidate nominated and seconded. He was therefore appointed Chairman for 2010/11.

RESOLVED

that Keith Ford be elected as Independent Chairman of the Standards Committee for the Municipal Year 2010/11.

STD/10/2 **Appointment of Vice-Chairman for the Municipal Year 2010/11.**

The Chairman of the Standards Committee invited nominations for the Vice-Chairman of the Standards Committee for the Municipal Year 2010/11.

It was noted that there were two Vice-Chairmen, one was the elected Member, who was appointed by Full Council on 22 April 2010, Cllr Peter Rawcliffe and one would be an Independent Member.

Miss D C Maggs was duly elected as the Independent Vice-Chairman.

RESOLVED

that Miss D C Maggs be elected as Vice-Chairman (Independent Member) of the Standards Committee for the Municipal Year 2010/11.

STD/10/3 **Minutes**

RESOLVED

that the Minutes of the meeting of the Standards Committee held on the 26 February 2010 be confirmed and signed by the Chairman as a correct record.

STD/10/4 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

STD/10/5 **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/10/6 **Petitions**

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

STD/10/7 **Annual Report in respect of Governance Issues for the Municipal Year 2009/10**

The Committee received and considered the annual report of the Monitoring Officer which highlighted the activities during the 2009/10 Municipal Year.

The Monitoring Officer informed Members that Appendix "A" was a summary of the work carried out by Standards Committee in respect of Ethical and Corporate Governance. Members attention was drawn to the training delivered and the items considered by the Committee during the year.

It was also noted that there was a breakdown of all of the assessment, reviews and hearings carried out to date and those still being investigated.

The Committee also considered the workplan for the 2010/11 Municipal Year, which highlighted that there would be further training on the Code of Conduct should changes be made. It was noted that the review of the Code had been delayed until after the General Election (6 May 2010). No further update was available to be given.

A discussion over the Committee members attending Town and Parish Council meetings resulted in a request that the Monitoring Officer write a letter to the BTPCA and inform them that members of the Standards Committee may attend various Town and Parish Council meetings during the next Municipal Year. It was noted that there were 70 Town and Parish Councils in Central Bedfordshire. The Committee were asked which members would be interested in attending Town and Parish Council meetings as part of Member Development and given the opportunity for Town and Parish Council feedback. The following were the members who were interested in taking part in the visits:-

Mr M Jones
Mr J H Lewis
Mr J Dann
Mr K Frazer
Dr J Eilbeck
Miss D C Maggs
Cllr J Lawrence
Mr K Ford

RESOLVED

- 1. that the Annual Report of the Monitoring Officer be noted and its contents endorsed.**
- 2. that the annual work plan as set out in Appendix "A" paragraph 6 of the report of the Monitoring Officer be agreed.**
- 3. that the Monitoring Officer contact the BTPCA and inform them that members of the Standards Committee may attend Town and Parish Council meetings during the Municipal Year 2010/11 as part of our own personal training and development process and to give an opportunity for feedback for Town and Parish Councils.**

STD/10/8

Bulletin No. 47

The Committee considered the report of the Monitoring Officer which drew Members' attention to the latest bulletin issued by Standards for England.

The Monitoring Officer highlighted the main points of interest within the bulletin as follows:-

- Adjudication Panel for England becomes known as First-tier Tribunal (Local Government Standards in England)
- Social networking: an effective medium of communication but not without risk
- Delay on the New Code of Conduct

The Committee discussed the importance of highlighting to Members and Town and Parish Council Members that social networking sites and forums are in the public domain. The Monitoring Officer confirmed that Standards for England had provided a factsheet on this subject and she would arrange for it to be circulated to Members through their newsletter and a copy forwarded to Louise Ashmore at BTPCA for circulation to all Town and Parish Councils.

RESOLVED

- 1. that the Standards for England Bulletin No. 47 be noted.**
- 2. that the Monitoring Officer send a copy of the Standards for England factsheet on sites to all Central Bedfordshire Council Members and to the BTPCA for circulation to all Town and Parish Councils.**

STD/10/9 Notifications of Gifts and Hospitality declared by Central Bedfordshire Members

The Committee received the report of the Monitoring Officer which provided an update on gifts and hospitality declared by Central Bedfordshire Members since the last meeting.

The Monitoring Officer informed the Committee that she would be sending a reminder via the Members' Newsletter drawing Members attention to their obligation to declare any gifts and hospitality received.

RESOLVED

- 1. that the declarations of gifts and hospitality received by Central Bedfordshire Members as set out in Appendix "A" to the report of the Monitoring Officer be noted.***
- 2. that the Monitoring Officer send a reminder to all Central Bedfordshire Council Members of their obligation to declare any gifts and hospitality received.***

STD/10/10 Update on Current Standards Matters

The Committee considered the report of the Monitoring Officer which advised Members of the latest position relating to Assessments, Reviews and Hearings.

The Committee were thanked for their time and consideration of the cases to date.

RESOLVED

that the report of the Monitoring Officer be noted.

STD/10/11 "A Place for Standards" - Standards for England Assembly 18-19 October 2010

The Chairman asked the Committee to confirm the non renewal of the fee to the Association of Independent Members of Standards Committees in England (AIMSce) for the next Municipal Year. This was agreed by the Committee as it was viewed that the Organisation was not adding value as originally hoped.

In relation to the Standards for England Assembly to be held on 18 – 19 October 2010, the Committee agreed that in these difficult financial times it would be prudent to reduce the number of attendees to one officer, to be appointed by the Monitoring Officer nearer to the time of the Assembly.

RESOLVED

- 1. that the Council does not renew membership of the Association of Independent Members of Standards Committees in England (AIMSce).**
- 2. that the Monitoring Officer appoint one officer to attend the Standards for England Assembly to be held on 18 – 19 October 2010 nearer the time at the appropriate time.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.05 a.m.)

Chairman

Dated

Meeting: Standards Committee
Date: 29 October 2010
Subject: Standard Board Bulletin No 48
Report of: Monitoring Officer
Summary: To draw to Members' attention the latest Bulletin issued by the Standards for England.

Contact Officer: John Atkinson

Public/Exempt: Public

Wards Affected: All

Function of: Non-executive

Reason for urgency
(if appropriate) N/A

RECOMMENDATIONS:

1. That the Committee note the Standards for England Bulletin No 47.
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Standards Board Bulletin

1. As Members are aware, Standards for England regularly issues bulletins and updates for the Standards Committees to note. Attached at Appendix "A" to the report is a copy of the latest Bulletin No 48.
2. Members are requested to note the Bulletin and bring to the attention of the Committee any issues that they wish to discuss.
3. Members will also be aware that the Monitoring Officer arranges for copies of these Bulletins to go to all Town and Parish Councils and relevant officers within the Authority.

CORPORATE IMPLICATIONS

Council Priorities:

Contributes to all Council priorities to ensure good governance

Financial:

N/A

Legal:

To ensure that continued training and development is offered to ensure high ethical standards are maintained in accordance with the Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007

Risk Management:

N/A

Staffing (including Trades Unions):

N/A

Equalities/Human Rights:

None

Community Development/Safety:

N/A

Sustainability:

N/A

Location of papers: Priory House, Chicksands



Introduction

This Bulletin comes at a time of big change for us following the Government's announcement of its intention 'to abolish the Standards Board regime'. Whilst we still await the detail of this policy, we will share with you what we know about what is proposed, and outline the timetable for our closure.

Although we have had to modify our work programme in light of this proposal, we remain 'open for business' and set out in this Bulletin our schedule of activities for the coming year. We are committed to continuing to work with you and support you in operating the standards framework successfully.

This is a sad month for us as we say goodbye to many valued staff leaving the organisation in our first wave of redundancies. We are losing people who have contributed much to this organisation, and many of whom have worked for us for some time. They will be much missed. We wish them all well in their future endeavours and thank them sincerely for their hard work.

The Future of Standards for England and the Standards Framework

The Government's 'Programme for Government' of 20 May 2010 contained the commitment to "abolish the Standards Board regime". Primary legislation is needed to abolish Standards for England, and we expect the provisions to be included in the planned Decentralisation and Localism Bill which is due to be presented in late 2010, with Royal Assent anticipated between July and October 2011. This is likely to lead to final closure of this organisation sometime between 31 December 2011 and 31 March 2012. We have not seen any transitional provisions at this stage but will provide an update in a later Bulletin, when we know more.

In the light of these circumstances we have reviewed our business plan for this year and next. Our current priorities are to fulfil our statutory duties, to support local authorities in maintaining high standards and to assist the government in developing and implementing any new arrangements they may choose to put in place.

In the meantime, the local standards framework still exists and standards committees and monitoring officers have an obligation to keep the system operating.

In order to assist you we will:

- Continue to provide advice and information to those who phone or write to us with queries about the standards regime via our enquiries helpline, monitoring officer helpline or press helpline. We will respond immediately where we can by telephone or in writing by post or email.
- Update our guidance on the framework to make it easier to use.

There will be changes to the content of the guidance where sections may be out of date, inaccurate or incorrect. We have received several suggestions from stakeholders and will incorporate these in the guidance where appropriate.

The format of the guidance is changing to make it easier to use and more helpful. It will highlight all statutory requirements and provide a link to the relevant legislation.

We are not proposing to produce any other new guidance products, unless a specific need is identified. All revised guidance will only be available via our website.

- Produce an updated case review.

As a result of a request from the Association of Council Secretaries and Solicitors, and to assist the standards community as a whole, we are updating the Case Review 2007 to reflect cases decided by the First Tier and Upper Tribunals since the Case Review was last updated in 2008.

- Continue to carry out investigations referred to us by standards committees.

See the article towards the end of this bulletin on the factors we take into account when deciding whether to accept cases for investigation

- Maintain existing relationships with key stakeholder organisations.

Standards for England will continue to provide support to those in the regulated and standards community who have requested our help with ethical issues.

- Meet requests for staff to give presentations or attend training events.

We will continue to provide staff and material for presentations and training events where we are requested to attend and where it fits in with our current business plan.

- Maintain our web site as a resource to support standards committees.

We will carry out routine maintenance of our website and the guidance we provide on it. We have published our Annual Report and Annual Accounts online but we will not be printing these publications.

An update on monitoring returns

In June 2010 we sent out an email to all monitoring officers explaining that we had decided to postpone the return for the April to June quarter. As part of the review of the Business Plan we considered our requests for local authorities to complete quarterly monitoring. There will be no further requests for the submission of quarterly or annual returns. We do not anticipate re-establishing these procedures, unless a specific monitoring need arises in which we have to play a part.

The online questionnaires have been removed from our website and are now inaccessible. However, the information submitted by local authorities is available on request. If any authority wishes to obtain a copy we can provide them with pdf versions of any of the following:

- The standards committee composition details, correct as of the last date of monitoring (31 March 2010)
- Two years of case information, listed in chronological order by date received
- Annual Return 2008/09
- Annual Return 2009/10

Please email requests to authorityreturns@standardsforengland.gov.uk

Aggregated summary statistics of the quarterly return information are still available online at

<http://www.standardsforengland.gov.uk/CaseinformationReporting/Localstatistics/>

We will shortly be publishing an online report of the annual return information collected for 2009/10. This includes an introduction to the data, a key figures page, a summary of the findings and a full list of all the most common responses to each question.

Acceptance of Complaints by SfE

We have reviewed the factors we take into account when assessing if we will accept cases in the public interest, referred to us by local standards committees, for investigation. We reviewed the factors to see whether they were still appropriate taking into account the Government's stated policy, its localist approach to regulation of local government and our reduced budget.

We concluded that both the underlying criterion of public interest and the relating factors are consistent with our statutory purpose and continue to be valid while the current standards framework remains in place. Therefore we have not made any changes to the factors or criterion. However, when considering whether to accept cases we will have to have regard to the resources we have available and take account of the relative importance of cases.

Reappointment of Independent members

We have been asked if an authority has to follow our recommendation that independent members serve no more than two terms of four years after which new members should be recruited. Some authorities are concerned that, given the current uncertainty regarding the future of the standards regime, it may be preferable to retain those who have been trained and understand their role rather than to try to recruit and appoint new members. In light of the uncertain future of the standards framework we advise that, as long as the original appointment was carried out in accordance with all the correct legal requirements at the time (e.g. approved by full council, after being openly advertised and having assessed the suitability of all the applicants) an authority can extend that term for a further period. This can only be done during the term of office of an existing independent member and by approval from full council. Once the independent member's term has expired the full recruitment procedures must be followed again.

Tell us how it should be done

The Standards Forum now has more than 1,100 users and over 200 posts on almost 70 different topics. The subjects of vexatious complaints, informing the subject member about a complaint and promoting ethical behaviour continue to be popular. More recently posts about subject members resigning before an election and discussions about the future of the standards regime have been generating interest.

If you have anything to say about these issues or if you want to share good practice, seek advice from your peers or simply draw attention to something you think might be relevant to others, do it on the Forum. To have your say, visit:

www.standardsforengland.gov.uk/resources/TheStandardsForum/

The Forum is open to members of standards committees, monitoring officers and other relevant council officers. If you are not currently registered for the Forum and would like to have access, please email: forum@standardsforengland.gov.uk

Meeting: Standards Committee
Date: 29 October 2010
Subject: Notifications of Gifts and Hospitality declared by Central Bedfordshire Members
Report of: Monitoring Officer
Summary: To update the Committee on gifts and hospitality declared by Central Bedfordshire Councils Members from May to October 2010

Contact Officer: John Atkinson
Public/Exempt: Public
Wards Affected: All
Function of: Non-executive
Reason for urgency (if appropriate): N/A

RECOMMENDATIONS:

1. That the Committee notes the declarations of gifts and hospitality received by Central Bedfordshire Members as set out at Appendix "A" to this report.

-
1. Attached at Appendix "A" to this report Members will find a summary of gifts and hospitality declared by Central Bedfordshire Council Members since the Committee's last meeting.
 2. Members are aware that their declarations are held in the public domain and their interests declarations are a requirement of the Code of Conduct.

CORPORATE IMPLICATIONS

Council Priorities:

Contributes to all Council priorities to ensure good governance

Financial:

N/A

Legal:

To ensure declarations are made in accordance with the Code of Conduct are maintained and disclosed in accordance with the Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007

Risk Management:

N/A

Staffing (including Trades Unions):

N/A

Equalities/Human Rights:

None

Community Development/Safety:

N/A

Sustainability:

N/A

Location of papers: Priory House, Chicksands

Appendix "A"

**Declarations notified to the Monitoring Officer
in respect of Gifts and Hospitality received by
Central Bedfordshire Members**

Date of gift or hospitality	Description of gift/ hospitality	Date notified to Monitoring Officer
11 May 2010	Lunch – Chairman of Audit Commission	14 May 2010
25 May 2010	Total Place Summit meeting	28 June 2010
25 May 2010	Lunch – Hemming Information Services	28 June 2010
22 June 2010	Reception – The Commandant of Chicksands	29 June 2010
24 June 2010	MJ Awards Reception	29 June 2010
7 July 2010	Dinner – BT Local Government Information Unit	28 July 2010
14 July 2010	Reception – Leadership Centre for Local Government	2 August 2010
14 September 2010	Reception – Local Government Leadership	15 September 2010

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Meeting: Standards Committee
Date: 29 October 2010
Subject: Update on Current Standard Matters
Report of: Monitoring Officer
Summary: To advise Members on the latest position relating Assessment, Reviews and Hearings

Contact Officer:

Public/Exempt: Public

Wards Affected: All

Function of: Non-executive

Reason for urgency (if appropriate) N/A

RECOMMENDATION:

That the Committee receive and note the report.

1. The report set out at Appendix "A" shows the current position relating to code of conduct cases, together with information about any further complaints received by the Standards Committee.
2. Members are requested to receive and note this report.
3. At Appendix "B" a table setting out the numbers of matters dealt with by individual Members is attached for information.

CORPORATE IMPLICATIONS

Council Priorities:

Contributes to all Council priorities to ensure good governance

Financial:

N/A

Legal:

To ensure high ethical conduct within the Council in accordance with the requirements of the Ethical Framework as set out in the Local Government Act 2000

Risk Management:

N/A

Staffing (including Trades Unions):

N/A

Equalities/Human Rights:

None

Community Development/Safety:

N/A

Sustainability:

N/A

Location of papers: Priory House, Chicksands

Central Bedfordshire Council Standards Committee Matters

Case Ref No	Type of Hearing	Town/Parish Council or CBC Member	Date received.	Outcome
CBC7	A	Town Council and CBC	6 November 2009	No further action
CBC5	A	CBC	20 November 2009	Referred for other action to the Monitoring Officer
CBC8	A	Parish Council	7 December 2009	Referred for Investigation Hearing held on 30 April 2010 – no breach
CBC9	A H	Town Council as well as CBC	11 December 2009	Referred for Investigation Hearing held on 27 May 2010 Paragraph 3(1) - breached Paragraph 3(2)(b) - breached Paragraph 5 - breached Sanction: 2 months suspension. Appeal to First Tier Tribunal: Appeal partially upheld. Sanction upheld.
CBC10	A H	Town Council	22 January 2010	Referred for Investigation Hearing held on 27 September 2010 No breach
SC5	H	Town Council	9 February 2010	No Breach under Code paragraph 6(a) – using position improperly Breach under Code paragraph 12 – failure to declare a prejudicial interest Sanction – Training
CBC11	A Pre-Hearing	CBC	18 February 2010 9 July 2010	Referred for Investigation Report accepted - no breach
CBC12	A Pre-Hearing	CBC	18 February 2010 19 July 2010	Referred for Investigation Report accepted - no breach
CBC13	A H	CBC	18 February 2010 3 December 2010	Referred for Investigation.

CBC14	A	Town Council	26 March 2010	No further action after review but offered assistance for training to assist in matters
CBC15	A	Town Council	17 June 2010	No further action
CBC16	A R	CBC	17 August 2010 23 September 2010	No further action. No further action.
CBC17	A R	2 CBC 1 Town Council 1 Town Council	7 September 2010 14 October 2010	1 CBC – no further action 1 CBC – investigation 1 T/C – no further action Other Action – MO to speak to Cllr about meeting procedures
CBC18	A	Town Council	23 September 2010	Referred to MO for other action, including an apology to complainant.
CBC19	A	2 x CBC 1 x CBC and Town Council	14 October 2010	1 – no further action 1 – other action – MO to speak to Cllr in respect of Member/ Officer protocol 1 – investigation
CBC20	A	Parish Council	TBA	
CBC21	A	Parish Council	TBA	

Assessment (A)
Review (R)
Hearing (H)

List of Members undertaking Sub-Committee (Initial Assessments), Reviews and Pre-Hearings and Hearings

		Initial Assessments	Reviews	Pre-Hearing	Hearing
Independent Member	Mr K Ford	5	3	1	1
	Miss D Maggs	8	1		1
	Mr J Dann	5	1		
	Mr K Frazer	2	1	2	2
	Mr M Jones	9	2	1	2 + *
Elected Member	P Rawcliffe	4			2
	Mrs J G Lawrence	5	3		2
	A A J Rogers	12	2	1	2
	J Street	3	2	2	2*
	G Summerfield	2			
Town/Parish Member	Mr B Collier	11	1	1	1
	Dr W J Eilbeck	8	4	1	1 + *
	Ms J Hughes	3	1		1*
	Mr J Lewis apart from	5 (2 cases as an elected member for Shadow Council)		1	1
	Mr B Saunders (newly appointed)			2	1 (observer) + 1

* Hearing could have occurred but not required as Investigator's report accepted. No Action.

as at 18 October 2010

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