

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



please ask for Martha Clampitt
direct line 0300 300 4032
date 2 June 2011

NOTICE OF MEETING

STANDARDS COMMITTEE

Date & Time

Friday, 10 June 2011 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: L Birt, R W Johnstone, Mrs J G Lawrence, N Warren
and P Williams,
Independent Mr K Ford, Mr J Dann, Mr K Frazer, Mr M Jones and
Persons: Miss D C Maggs
Town and Parish Mr B Collier, Dr W J Eilbeck, Ms J Hughes,
Representatives: 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. **Election of Chairman for the Municipal Year 2011/12**

To elect a Chairman for the Municipal Year 2011/12.

(The Council agreed that one of the independent persons on the Committee should be appointed to the Office of Chairman).

3. **Appointment of Independent Vice-Chairman for the Municipal Year 2011/12**

To appoint the Independent Vice-Chairman for the Municipal Year 2011/12.

4. **Appointment of Elected Member Vice-Chairman for the Municipal Year 2011/12**

To appoint the Elected Member Vice-Chairman for the Municipal Year 2011/12.

5. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Standards Committee held on 21 January 2011.

(previously circulated)

6. **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

7. **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.

REPORTS

Item	Subject	Page Nos.
8	Election of Members to Central Bedfordshire Council	
9	Update on Current Standard Matters To advise Members on the latest position relating Assessment, Reviews and Hearings.	* 9 - 16
10	Notifications of Gifts and Hospitality declared by Central Bedfordshire Members To update the Committee on gifts and hospitality declared by Central Bedfordshire Council's Members from January to May 2011.	* 17 - 20
11	The Localism Bill - Verbal Update	
12	Training	
13	Date of Next Meeting The Committee are requested to bring their diaries so that an alternative date can be considered for the next meeting.	

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **STANDARDS COMMITTEE** held in Room 14, Priory House,
Monks Walk, Shefford on Friday, 21 January 2011

PRESENT

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

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

Independent Member(s): Mr K Frazer
Mr M Jones
Miss D C Maggs

Parish Representatives: Mr B Collier
Dr W J Eilbeck
Mr J Lewis

Apologies for Absence: Mr J Dann
Ms J Hughes
Mr B Saunders

Officers in Attendance: Mr J Atkinson Head of Legal and Democratic
Services
Mrs M Clampitt Committee Services Officer

STD/10/19 **Minutes**

RESOLVED

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

STD/10/20 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

STD/10/21 **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/10/22 **Notifications of Gifts and Hospitality declared by Central Bedfordshire Members**

Members 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 following the publication of the agenda an additional three declarations of interest had been received as follows:-

Dinner and refreshments – Richard Carr, CBC
Dinner and refreshments – Price Waterhouse Coopers
Lunch – Dennis Keech

NOTED

that the declarations of gifts and hospitality received by Central Bedfordshire Members as set out in the preamble above and at Appendix A to the report of the Monitoring Officer.

STD/10/23 **Update on Current Standard 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 and Officers were thanked for their time and consideration of the cases to date. Since the creation of Central Bedfordshire Council there had been an increase in the number of complaints.

NOTED

the report of the Monitoring Officer.

STD/10/24 **Update on "Localism Bill"**

The Monitoring Officer provided the Committee with an overview of how the Localism Bill planned to deal with Standards matters both at the Local Authority level and at Town and Parish Council level. The Monitoring Officer had recently attended a seminar covering the Standards elements of the Bill.

The Localism Bill contained 207 clauses of which Standards covered clauses 14 – 20 in Schedule 4, which repealed previous legislation. The timetable was that the Bill was expected to receive Royal Assent in November 2011 followed by implementation in April 2012. It was noted that until April 2012 the Standards Committee and its sub committees would continue to function as now.

The basic message from the seminar was that the existing arrangements would be set aside and replaced by a general duty on the local authorities to promote and maintain high standards of conduct. This would include Town and Parish Councils, Police Authorities and Fire Authorities. However, District and Unitary Councils would no longer be responsible for overseeing standards matters in Town and Parish Councils.

There would be no model or national code of conduct. Local Authorities would be free to adopt or not adopt a code of conduct. However there would be one area which would be governed by Statute and that was the Register of Interests. It would be a criminal offence for a Member of a local authority to fail to register or declare an interest or not to withdraw from a meeting when he/she had an interest in an item being considered.. The offence would carry a £5k fine and disqualification for 5 years. The prosecution would be carried out by the Department of Public Prosecution (DPP). Any prosecution would need to begin within 1 year of the offence being discovered but no longer than 3 years from the date of the offence.

The Committee expressed their concerns at the proposed changes. The following concerns were raised:-

- Investigating failure to register an interest would not be high on police priorities.
- If the Local Authorities adopted a code of conduct – there would be no sanctions for breaches.
- Town and Parish Councils would be self governing. This provided great concern especially as the Committee knew of several councils who were not functioning properly now.

The Monitoring Officer indicated that he was proposing to recommend to the Council that the existing independent coopted members of the Committee and the Town and Parish representatives should have their appointments to the Committee extended until the relevant provisions in the Bill come into force. It was noted that there may be some Town and Parish Council elections this year which may necessitate the appointment of one or more new Town and Council representatives.

In response to a question the Monitoring Officer confirmed that it was the Local Authority's choice how it would deal with Standards matters. The Local Authority may wish to appoint a Standards Committee and to co-opt independent people to serve on that committee. However, it was likely that the existing statutory obligation will cease from April 2012.

It was noted that the decision to have or not to have a Standards Committee was not an Executive function but would be decided by the Council.

- The Committee agreed that the Chairman of the Standards Committee should write to Robert Chilton, the Chairman of Standards for England for seeking clarification on the following points:-
 - Town and Parish Councils – the majority of the problems lay at this level.
 - Public confidence in proposals – requirements
 - Lack of independent scrutiny
 - What structure to be in place – aspects to be improved.
 - There should be a code of conduct – this is fundamental for public life.

A copy of the letter would be circulated to all Members of the Committee.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.55 a.m.)

Chairman

Dated

Meeting: Standards Committee
Date: 10 June 2011
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: John Atkinson, Monitoring/Head of Democratic & Legal Services
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
CBC13	A H	CBC	18 February 2010 28 January 2011	Referred for Investigation.
CBC17	A R	Town Council and CBC	7 September 2010 14 October 2010 04 March 2011	Referred for investigation Hearing found minor breach but no action required
CBC19	A	CBC	14 October 2010	Referred for investigation
CBC22	A	Town Council	5 November 2010 13 April 2011 26 April 2011	Referred for investigation Pre Hearing – possible breach found Hearing – adjourned due to conflict of interest for panel member
CBC23	A	Town Council	5 November 2010 13 April 2011 26 April 2011	Referred for investigation Pre Hearing – possible breach found Hearing – adjourned due to conflict of interest for panel member
CBC24	A	Parish Council	13 January 2011	Referred for investigation
CBC25	A	CBC	13 January 2011	No action required
CBC26	A	Town Council	16 June 2011	
CBC27	A	CBC	10 June 2011	
CBC28	A	CBC	10 June 2011	
CBC29	A	CBC	10 June 2011	
CBC30	A	Town Council	16 June 2011	
CBC31	A	CBC	16 June 2011	

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	14	3	1	1
	Miss D Maggs	8	1	1	2
	Mr J Dann	5	1		
	Mr K Frazer	2	1	3	3
	Mr M Jones	9	2	1	2 + *
Elected Member	P Rawcliffe	10			2
	Mrs J G Lawrence	8	3	1	3
	A A J Rogers	12	2	3	3
	J Street	3	2	2	2*
	G Summerfield	2			
Town/Parish Member	Mr B Collier	11	1	1	1
	Dr W J Eilbeck	15	4	4	3 + *
	Ms J Hughes	3	1		1*
	Mr J Lewis apart from	7 (2 cases as an elected member for Shadow Council)		1	1
	Mr B Saunders			2	1 (observer) + 1

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

as at 6 January 2011

CBC Ref	Name of Case	Date Complaint rec'd	Date of initial Assessment	Outcome of initial Assessment	Date of Review Assessment	Outcome of Review Assessment	Pre-Hearing Date	Hearing Date
CBC13	CBC Member	12/02/10	18/02/10	To be investigated			19/07/10	28/01/2011 - No Breach found
CBC17	2 CBC Members and 1 Town Council Member	04/08/10	07/09/10	No Action	14/10/10 - town council member review and 1 CBC member to be investigated	MO to speak to Town Council member re meeting procedure.		04/03/2011 - minor breach found but no action required
CBC19	3 cbc members		14/10/10	1 CBC member to be investigated				
CBC22	Town Council Member	26/10/10	05/11/10	To be investigated jointly with CBC23				
CBC23	Town Council Member	26/10/10	05/11/10	To be investigated jointly with CBC22				
CBC24	Parish Council member		13/01/11	to be investigated				
CBC25	CBC Member		13/01/11	No further action				
CBC26	Town Council Member	17/03/11						
CBC27	CBC Member	30/03/11	10/06/11					
CBC28	CBC Member	31/03/11	10/06/11					
CBC29	CBC Member	11/04/11	10/06/11					
CBC30	Town Council Member	21/04/11						
CBC31	CBC Member	initial information rec'd 06/04/11 awaiting complaint form						

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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	14	3	1	1
	Miss D Maggs	8	1	1	2
	Mr J Dann	5	1		
	Mr K Frazer	2	1	3	3
	Mr M Jones	9	2	1	2 + *
Elected Member	P Rawcliffe	10			2
	Mrs J G Lawrence	8	3	1	3
	A A J Rogers	12	2	3	3
	J Street	3	2	2	2*
	G Summerfield	2			
Town/Parish Member	Mr B Collier	11	1	1	1
	Dr W J Eilbeck	15	4	4	3 + *
	Ms J Hughes	3	1		1*
	Mr J Lewis apart from	7 (2 cases as an elected member for Shadow Council)		1	1
	Mr B Saunders			2	1 (observer) + 1

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

as at 6 January 2011

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Meeting: Standards Committee
Date: 10 June 2011
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 January to May 2011.

Contact Officer: John Atkinson – Monitoring Officer/Head of Democratic & Legal Services
Public/Exempt: Public
Wards Affected: All
Function of: Non-executive
Reason for urgency (if appropriate) N/A

RECOMMENDATIONS:

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
17 February 2011	Annual Awards Dinner – CIPFA	24 February 2011
18 February 2011	Lunch EC Harris LLP	24 February 2011

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