

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



please ask for Martha Clampitt
direct line 0300 300 4032
date 8 March 2012

NOTICE OF MEETING

STANDARDS COMMITTEE

Date & Time

Friday, 16 March 2012 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, Mrs J G Lawrence (Vice-Chairman), N Warren
and P Williams,
Independent Mr K Ford (Chairman), Mr J Dann, Mr K Frazer,
Persons: Mr M Jones and Miss D C Maggs (Vice-Chairman)
Town and Parish Mr B Collier, Dr W J Eilbeck, Mr J Lewis and
Representatives: 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 6 January 2012.

(previously circulated)

3. **Members' Interests**

To receive from Members declarations and their 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.

REPORTS

Item	Subject	Page Nos.
5	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 September 2011 to February 2012.	* 9 - 12
6	Update on Current Standard Matters To advise Members on the latest position relating Assessment, Reviews and Hearings.	* 13 - 16
7	Update on the future of Standards To receive an update from Cllr Mrs J Lawrence on the proposals being considered for future Standards issues.	

STD/11/17 **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/11/18 **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. In presenting the report, the Monitoring Officer provided additional information about several cases which had not been available at the time the agenda was printed.

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

RESOLVED

that the Update on Current Standards Matters be noted.

STD/11/19 **Update on Standards in the Future**

The Committee considered information presented by the Monitoring Officer, which highlighted the new arrangements for Ethical Standards following the implementation of the Localism Act 2011.

The Committee noted that the timetable for implementation was anticipated to be as follows:-

31/01/12 – the SfE would not issue any new guidance or accept any new referrals.

31/03/12 - the SfE would cease to exist and any outstanding cases would be returned to the submitting authority.

19/04/12 - Council AGM for adoption of the new Code of Conduct.
Decisions for the implementation of the new procedures.

01/07/12 - old framework ceases and the new framework begins

The Monitoring Officer advised the Committee that the existing model Code of Conduct would no longer apply after 1 July 2012. The Council was required to adopt a new Code of Conduct and this could be based on the existing Code. It was possible that a new model code would emerge in the next few months.

Pecuniary and non-pecuniary interests would be prescribed by the Secretary of State in Regulations. Failure of a Councillor to register or disclose a pecuniary interest would be a criminal offence and liable to a fine of £5,000 and disqualification from office for up to 5 years.

The Committee asked how many of the existing principles would be transferred to the new code. The Monitoring Officer confirmed that the following seven principles (the Nolan principles) had been retained:- selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The Committee expressed concern at the removal of the principle relating to respect for others.

The Act prohibits any independent members who have served in the last 5 years from being considered for the position of Independent Person and the Committee expressed concern at the loss of knowledge which would result from this.

It was noted that Town & Parish Councils (T&PC) would have to adopt a Code of Conduct. The T&PC could adopt the same Code of Conduct as Central Bedfordshire Council.

The review of any potential breaches would be the responsibility of Central Bedfordshire Council. To ensure that a procedure is in place in time, the Vice-Chairman (Elected Member) had been asked to chair a task force which will consider proposals. The Committee were asked to forward any suggestions to the Vice-Chairman (Elected Member) by Monday 23 January 2012. The Vice-Chairman (Elected Member) agreed to bring any proposals to the 16 March 2012 meeting.

The Committee noted that there were currently no sanctions to apply and no guidance on what actions could be taken. Concerns were expressed about the public perception of the changes to the process.

The Monitoring Officer confirmed that he would be taking a report to the Annual General Meeting of the Council to request an extension to the 1 July 2012 of the appointments of both Town and Parish Council Members and Independent Members of the Standards Committee to enable any outstanding work to be completed.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.50 a.m.)

Chairman

Dated

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Meeting: Standards Committee
Date: 16 March 2012
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 September 2011 to February 2012.

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 September 2011 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
10 October 2011	Airparks – Courtesy Airport parking	11 October 2011
10 October 2011	LGIU London – Lunch	11 October 2011
11 October 2011	Easyjet – commemorative airbus A320	11 October 2011
16 – 18 Sept 2011	Porz Town Council (Germany) – 2 x hotel nights, 4 restaurant meals, minibus transport, goodie bag	28 October 2011
26 October 2011	BT – Parliamentary Choir Performance & Dinner	27 October 2011
26 October 2011	BT – Parliamentary Choir Concert & Reception	15 December 2011
8 December 2011	Amey – Hi vis coat	15 December 2011
8 December 2011	Amey – day glow jacket	15 December 2011
8 December 2011	KPMG – Public Sector Reception	27 January 2012
14 December 2011	Leeds Castle Alumni Dinner	27 January 2012
9 January 2012	Rugby Estates Plc Lunch	10 January 2012
9 January 2012	Rugby Estates Plc Lunch	10 January 2012
24 January 2012	ImPower Dinner	27 January 2012

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Meeting: Standards Committee
Date: 16 March 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.

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

CBC Ref	Name of Case	Complainant	Date Complaint rec'd	Breach of Code of Conduct Alleged	Legal Officer dealing with initial assessment	Elected Member dealing with initial assessment	Town & Parish Member dealing with initial assessment	Independent Member chairing initial assessment	Date of initial Assessment	Outcome of initial Assessment	Appeal Outcome
CBC9	CBC Member	Mr P Howard 37A New Road Leighton Buzzard Beds LU7 2LS paulmichaelhoward@hotmail.com		1. Failure to treat people with respect; 2. bullying any person; 3. bringing your office into disrepute; 4. improper use of his position	John Atkinson	Cllr Mrs J Lawrence	Cllr B Collier	Mr J Dann	11/12/09	To be investigated	The subject member appealed against the findings that he had breached the code of conduct. In particular he disputed the finding of bullying and contended that he had not been acting in an official capacity when the relevant incident took place. The definition of official capacity changed during the course of this process which resulted in the appeal being upheld.
CBC26	Town Council Member	Mrs E Hare 2 Melrose Drive Elstow, Bedford MK42 9FH	17/03/11	paragraphs 3(1), 2(b)(c) and (d), 5 and 6(a) of the Town Council's	Andrew Emerton	Cllr R Johnstone	Dr J Eilbeck	Mr J Dann	07/07/11	to be investigated	
CBC30	Town Council Member	Mrs E Hare 2 Melrose Drive Elstow, Bedford MK42 9FH	21/04/11	paragraphs 3(1), 2(b)(c) and (d), 5 and 6(a) of the Town Council's Code of conduct	Andrew Emerton	Cllr R Johnstone	Dr J Eilbeck	Mr J Dann	07/07/11	to be investigated	
CBC31	CBC Member	neighbour	initial information rec'd 06/04/11 awaiting complaint form		Andrew Emerton	Cllr R Johnstone	Dr J Eilbeck	Mr J Dann	07/07/11	to be investigated	
CBC34	Central Bedfordshire Councillor	Miss Harvey	03/08/11	failure to treat with respect	Andrew Emerton	cilr L Birt	Mr J Lewis	Miss D Maggs	07/09/11	to be investigated	
CBC35	Parish Council Member	Mrs Trevena	04/10/11	5, 6a, 3(f), 3(2)(a)	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	28/10/11	to be investigated	
CBC36	Parish Council member	K Goode	08/10/11	5 and 6(b)(i)	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	28/10/11	to be investigated	
CBC38	CBC Member	John & Stephen boyle 19a Icknield Way, Luton Beds LU3 2BT	31/03/11	paragraphs 3(2), 5, 6(a) and 12(1)©	John Atkinson	Cllr Mrs J Lawrence	Dr J Eilbeck	Mr K Ford	06/01/12	refer to Standards for England - SFE decision was insufficient time to determine refer to MO for determination - reconvened original panel referred for investigation	

CBC Ref	Name of Case	Complainant	Date Complaint rec'd	Breach of Code of Conduct Alleged	Legal Officer dealing with initial assessment	Elected Member dealing with initial assessment	Town & Parish Member dealing with initial assessment	Independent Member chairing initial assessment	Date of initial Assessment	Outcome of initial Assessment	Outcome of Review Assessment
CBC39	Parish Council member	Mrs Trevena	28/10/11	paragraphs 5 and 12	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	06/01/12	no further action	
CBC40	Parish Council member	Mrs Trevena	28/10/11	paragraphs 5 and 12	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	06/01/12	no further action	
CBC41	Parish Council member	Mr S Coates	14/10/11	paragraphs 8,9,10 and 12	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	06/01/12	no further action	
CBC42	Town Council Member	Mrs D Archer	09/12/11	paragraphs 3(1), 3(2)(b) and 4(b)	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	06/01/12	no further action	
CBC43	CBC Member	Mrs D Thakooridin	14/12/11	false email and hacking	John Atkinson	Cllr P Williams	Mr J Lewis	Mr M Jones	06/01/12	no further action	
CBC44	Parish Council members	Mr P Brown	29/02/11	paragraph 5	John Atkinson	Cllr Mrs J Lawrence	Mr J Lewis	Mr J Dann	16/03/12		