

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

please ask for Martha Clampitt
direct line 0300 300 4032
date 15 September 2011

NOTICE OF MEETING

STANDARDS COMMITTEE

Date & Time Friday, 23 September 2011 9.30 a.m.

Venue at Room 14, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

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

Councillors: Mrs J G Lawrence(Vice-Chairman), L Birt,

R W Johnstone, 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

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 10 June 2011.

(previously circulated)

3. Members' Interests

To receive from Members any declarations and the nature 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

* 11 - 14

To update the Committee on gifts and hospitality declared by Central Bedfordshire Council's Members from June to August 2011.

6. **Update on Current Standard Matters**

* 15 - 20

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

7. The Localism Bill - Verbal Update

8. Future Arrangements for the Standards Committee

To discuss suggestions for the reconfiguration of the Standards Committee after the Localism Bill comes into force.

9. **Date of Next Meeting**

Following the conclusion of the meeting there will be a training discussion for the new members of the Committee on the local determination of complaints. This will be based on the review of a number of case studies.



CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **STANDARDS COMMITTEE** held in Room 15, Priory House, Monks Walk, Shefford on Friday, 10 June 2011

PRESENT

Mr K Ford (Chairman)
Cllr Mrs J Lawrence (Vice-Chairman)

Cllrs: L Birt

Mrs J G Lawrence

N Warren P Williams

Independent Member(s): Mr J Dann

Mr K Frazer

Parish Representatives: Mr B Collier

Dr W J Eilbeck Mr J Lewis

Apologies for Absence: Cllr R W Johnstone

Ms J Hughes Mr M Jones Miss D C Maggs Mr B Saunders

Officers in Attendance: Mr J Atkinson Head of Legal and Democratic

Services

Mrs M Clampitt Committee Services Officer

STD/11/25 Monitoring Officer Announcement

The Monitoring Officer informed the Committee that Mrs Julie Hughes, Town and Parish Representative, had written to resign her membership on the Standards Committee due to a change in her work.

The Committee thanked Mrs Hughes for her time and input during her two year appointment.

STD/11/26 Election of Chairman for the Municipal Year 2011/12

The Committee were invited to make nominations for Independent Chairman of the Standards Committee for the Municipal Year 2011/12.

Mr Keith Ford was the only candidate nominated and seconded. He was therefore appointed Chairman for 2011/12.

RESOLVED

that Keith Ford be elected as Independent Chairman of the Standards Committee for the Municipal Year 2011/12.

STD/11/27 Appointment of Independent Vice-Chairman for the Municipal Year 2011/12

The Chairman of the Standards Committee invited nominations for the Vice-Chairman (Independent Member) of the Standards Committee for the Municipal Year 2011/12.

Miss Deborah Maggs was the only candidate nominated and seconded. She was therefore appointed Vice-Chairman (Independent Member) for the Municipal Year 2011/12.

RESOLVED

that Deborah Maggs be elected as Vice-Chairman (Independent Member) of the Standards Committee for the Municipal Year 2011/12.

STD/11/28 Appointment of Elected Member Vice-Chairman for the Municipal Year 2011/12

The Chairman of the Standards Committee invited nominations for the Vice-Chairman (Elected Member) of the Standards Committee for the Municipal Year 2011/12.

Cllr Mrs Jane Lawrence was the only candidate nominated and seconded. She was therefore appointed Vice-Chairman (Elected Member) for the Municipal Year 2011/12.

RESOLVED

that CIIr Mrs Jane Lawrence be elected as Vice-Chairman (Elected Member) of the Standards Committee for the Municipal Year 2011/12.

STD/11/29 Minutes

RESOLVED

that the Minutes of the meeting of the Standards Committee held on the 21 January 2011 be confirmed and signed by the Chairman as a correct record.

STD/11/30 Members' Interests

(a) Personal Interests:-

There were no declarations made.

(b) Personal and Prejudicial Interests:-

There were no declarations made.

STD/11/31 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/11/32 Election of Members to Central Bedfordshire Council

The Monitoring Officer informed the Committee that Central Bedfordshire Council had held an election on 5 May 2011, at which time the membership of the Council had reduced from 66 members to 59 members. The membership of the Council comprised of 49 Conservatives, 5 Liberal Democrats, 4 Independents and 1 Labour.

The Committee noted that all of the Declarations of Office had been signed and 54 out of the 59 Councillors had returned their Register of Interest forms. It was expected that the remaining 5 forms would be received by the end of June.

STD/11/33 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 Monitoring Officer provided the new members of the Standards Committee with an overview of the Assessment process as follows:-

- A complaint is received by the Monitoring Officer
- A Standards Committee (Initial Assessment) is arranged with 3 members of the full Standards Committee to determine if a potential breach has occurred.
- The options available to the Assessment panel are:
 - o no potential breach of the code of conduct,
 - send the complaint to the Monitoring Officer for investigation as a potential breach has been found,
 - other action which normally required the Monitoring Officer's involvement.
 - in certain limited circumstances, the complaint can be referred to Standards for England – this is possible when the potential breach is very serious or the Member is too high ranking for the matter to be dealt with locally.

The Committee considered the new spreadsheet which would provide information on the cases being considered. It was agreed that the new layout was clearer and more accurate than the older version.

The Committee noted that this process was only to be in place until the end of this year at which point the Localism Bill will be in place. The Committee expressed the need for some process to remain. It was noted that work was beginning to consider possible options.

It was suggested that the next meeting contain an item where the Committee could discuss possible options. It was understood that any changes would impact the budget for the department in 2012/13 and would also require changes to the Constitution.

RESOLVED

- 1. that the update on current standards matters report be noted.
- 2. that an item be included in the next Standards Committee agenda to consider options for the future of the Standards Committee.

STD/11/34 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 a reminder had been sent to all Members through the Members Information Bulletin about the requirement to declare all gifts and hospitality over £25.

It was agreed that Members should err on the side of caution when considering declaring anything. It was the Committee's opinion that it is better to declare something even if the value is found to be less than £25.

The Monitoring Officer also informed the Committee that the Bribery Act was to come into force on 1 July 2011, which requires organisations to review their gifts and hospitality policies to ensure they are in keeping with the Act. In this regard, Members need to consider if they are invited to accept hospitality from a company whether bribery could be a factor.

RESOLVED

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.

STD/11/35 The Localism Bill - Verbal Update

The Monitoring Officer provided an update on the progress of the Localism Bill through Parliament. When enacted, the Localism Act will remove the current framework. Local Authorities would still be required to promote high standards of conduct. Local Authorities including Town and Parish Councils would have discretion to adopt a code of conduct and could arrange their own procedures for dealing with complaints but would be under no obligation to do so.

Currently the Council supervises standards in the Town and Parish Councils but that would cease under the Bill. It was noted that the Chairman of the Standards Committee had written to the Head of Standards for England regarding the proposed changes.

Members of Local Authorities would still be required to complete a register of interest form and failure to do so would be a criminal offence.

The Committee noted that the Bill is likely to receive the Royal assent in November 2011. The current framework would continue for 2 – 3 months to allow transitional arrangements.

The Committee has agreed to email the Chairman with suggestions for ways the Standards Committee could be reconfigured to continue after the Bill comes into force. These ideas will be brought to the next meeting for consideration.

The Monitoring Officer agreed that following the Chief Legal Officers Summit to be held on 5 July, he would email the Committee with any updates relating to the Localism Bill.

RESOLVED

- 1. that the current progress of the Localism Bill be noted.
- 2. that the Committee forward the Chairman suggestions of ways the Standards Committee could be reconfigured to continue to promote high standards of ethical conduct in the future.

STD/11/36 Training

The Monitoring Officer informed the Committee that arrangements were being made to hold Code of Conduct training for all Members of the Council. There would also be training for new members of the Committee which could be run in house using the expertise held in the legal department.

Agenda Item 2 STD - 10.06. Page 10 Page 6

STD/11/37 Date of Next Meeting

The next meeting of the Standards Committee is scheduled for 19 August 2011. Apologies have been received from Mr K Ford, Cllr Mrs J Lawrence and John Atkinson all of whom will not be available on the day.

(Note:	The meeting commenced at 9.30 a.m. and concluded at 10.40 a.m.)
	Chairman
	Dated

Meeting: Standards Committee

Date: 23 September 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 June to August 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:	

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		
14 June 2011	Gazely Ltd – Lunch	08/07/11		
16 June 2011	ZSL Whipsnade Zoo 80 th Birthday Reception	Various dates as declared by 24 Councillors		
21 June 2011	Commandant of Disc, Chicksands – Garden Party	25/06/11		
21 June 2011	Commandant of Disc, Chicksands – Garden Party	01/07/11		
22 June 2011	BT – Royal College of Defence Studies Dinner	25/06/11		
23 June 2011	MJ Annual Awards Event	25/06/11		
28 June 2011	Deloitte – Dinner @ LGA Conference	09/09/11		
29 June 2011	BT – Dinner & reception @ LGA Conference	09/09/11		
29 June 2011	BT – Dinner & reception @ LGA Conference	01/07/11		
29 June 2011	BT – Dinner & reception @ LGA Conference	01/07/11		
13 July 2011	Leadership Centre for Local Government – Leeds Castle Alumni Dinner	04/08/11		

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Meeting: Standards Committee

Date: 23 September 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

Hearing Date	07/09/11 date to be confirmed	13/04/11 05/09/2011 - censure and 4 wk suspension	05/09/11 - censure and 4 wk suspension							
Pre- Hearing Date	07/09/11	13/04/11	13/04/11 05/09/11 censure and 4 wk suspensi							
Investigati ng Legal Officer	John Atkinson	Andrew Emerton	Andrew Emerton							
Outcome of Review Assessment						No further action				
Independe nt Member chairing Outcom assessme Review Assessm						Miss D Maggs				
Town & Parish Member dealing with review assessme nt						Mr B Saunders				
Elected Member dealing with review assessme nt						Clir N Warren				
Legal Officer Idealing with review assessme						son				
Legal Elected Officer Member dealing dealing with with review review review assessme Assessment nt nt						29/07/11 John Atkin:				
ome of	Φ	To be investigated jointly with CBC23	To be investigated jointly with CBC22	to be investigated	to be investigated	10/06/11 No further action	refer to Standards for England - SfE decision was no further action	10/06/11 No further action	investigated	investigated
Date of initial Outco Assessme initial nt Assessme Asses	14/10/10	05/11/10	05/11/10	13/01/11	07/07/11 to be inves	10/06/11	10/06/11 refer to Standar England decision no furth action	10/06/11	07/07/11 to be inves	07/07/11 to be invest
Independe nt Member chairing initial assessme nt	Mr K Ford	Mr K Ford	Mr K Ford	Mr K Ford	Mr J Dann	Mr K Ford	Mr K Ford	Mr K Ford	Mr J Dann	Mr J Dann
Town & Parish Member dealing with initial assessme nt	CIIr B Collier	Dr J Eilbeck	Dr J Eilbeck	CIIr J Lewis	Dr J Eilbeck	Dr J Eilbeck	Dr.J Eilbeck	Dr J Eilbeck	Dr J Eilbeck	Dr J Eilbeck
Elected Member dealing with initial assessme nt	Cllr A A J Rogers	Cllr P Rawcliffe	<u>iff</u> e	Cllr P Rawcliffe	Clir R Dr J Johnstone Eilbeck	Cllr Mrs J Lawrence	Clir Mrs J Lawrence	nce	Clir R Dr J Johnstone Eilbeck	Cilr R Dr J Johnstone Eilbeck
Legal Officer dealing with initial assessme	Mark Woolsey	Mark Woolsey		Mark Woolsey	Andrew Emerton	John Atkinson	John Atkinson	Andrew Emerton	Andrew Emerton	Andrew Emerton
Breach of Code of Conduct Alleged		1. paragraph 3(1) - you must treat others		1. Treating others with	paragraph s 3(1), 2(b)(c) and (d), 5	 failing to treat with 	31/03/11 paragraph John s 3(2), 5, Atkins 6(a) and 12(1)◎		paragraph Andrew s 3(1), Emerton 2(b)(c) and (d), 5 and 6(a) of the Town	
Date Complaint rec'd	1 -	26/10/10	26/10/10		17/03/11	30/03/11	31/03/11	11/04/11	21/04/11	initial information rec'd 06/04/11 awaiting complaint form
Complain	Mr Gurney	Miss H Clark 12 Cluny Way Arlesev	Mrs L Rowe 5 High Street Dunton	Mrs L Trevena Clerk to Stondon	Mrs E Hare 2 Melrose Drive	Mr P Smyth 10 Hyde	john & Stephen boyle 19a Icknield Way, Luton Beds LU3	Simply Oak	Mrs E Hare 2 Melrose Drive elstow, Bedford MK42 9FH	
Name of Case	3 cbc members	Town Council Member	Town Council Member	Parish Council member	Town Council Member	CBC Member	CBC Member	CBC Member	Town Council Member	CBC Member
CBC Ref	CBC19	CBC22	CBC23	CBC24	CBC26	CBC27	CBC28	CBC29	CBC30	CBC31

		ı	ı	
	Hearing Date			
	Pre- Hearing Date			
	Investigati Pre- ng Legal Hearing Officer Date			
	Outcome of Review Assessment			
Independe nt Member chairing	review assessme nt			
Town & Parish Member dealing	review assessme nt			
Elected Member dealing	review assessme nt			
Legal Officer dealing with	review assessme nt			
	Date of Review review review review Date of Review assessme assessme assessme Assessment nt nt nt nt nt			
	Outcome of initial Assessment	07/07/11 no further action	29/07/11 no further action	to be investigated
Date of	initial Assessme nt	07/07/11	29/07/11	07/09/11 to be inves
Independe nt Member chairing	with initial with initial with initial initial Outco assessme assessme assessme initial nt nt nt nt nt Assess	Mr J Dann	Miss D Maggs	Miss D Maggs
Town & Parish Member dealing	Code of with initial with initial Conduct assessme assessme assessme assessme Alleged int in initial with initial conduct assessme assessme assessme assessme assessme assessme assessme assessme assessme and an initial conduction and assessme as a second a	Dr J Eilbeck	Mr B Miss D Saunders Maggs	clir L Birt Mr J Lewis Miss D Maggs
Elected Member dealing	with initial assessme	failure to Mark Clir R Dr J treat with Woolsey Johnstone Eilbeck respect	Clir N Warren	cllr L Birt
Legal Officer Breach of dealing	with initial assessme	Mark Woolsey	failure to John Clir N treat with Atkinson Warren respect	
Breach of	Code of wit Conduct ass	15/06/11 failure to Mark treat with Wools respect	20/06/11 failure to John treat with Atkins respect	03/08/11 failure to Andrew treat with Emerton respect
	Name of Complain Complaint Conduct Case ant rec'd Alleged	15/06/11	20/06/11	03/08/11
	Complain ant	Mr Paul	Mrs Burton	Miss Harvey
	Name of Case	Parish Council member	Parish Council member	Central Miss Bedfordsh Harvey ire Councillor
	Name CBC Ref Case	CBC32	CBC33	CBC34

Appendix "B"

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

		Initial Assessments	Reviews	Pre- Hearing	Hearing
Independent	Mr K Ford	18	3	1	1
Member	Miss D Maggs	11	2	1	2
	Mr J Dann	9	1		
	Mr K Frazer	2	1	4	4
	Mr M Jones	9	2	1	2 + *
Elected Member	P Rawcliffe	10			2
	Mrs J G Lawrence	11	3	1	3
	A A J Rogers	12	2	4	3
	J Street	3	2	2	2*
	G Summerfield	2			
	R Johnstone	4			
	P Williams				1
	N Warren		1		
	L Birt	1		1	
Town/Parish Member	Mr B Collier	11	1	1	1
	Dr W J Eilbeck	22	4	6	6 + *
	Ms J Hughes	3	1		1*
	Mr J Lewis	8		1	1
	apart from	(2 cases as an elected member for Shadow Council)			
	Mr B Saunders	1	1	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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