

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

**This meeting may
be filmed.***



please ask for Leslie Manning

direct line 0300 300 5132

date 16 March 2017

NOTICE OF MEETING

GENERAL PURPOSES COMMITTEE

Date & Time

Thursday, 30 March 2017 10.00 a.m.

Venue at

Room 15, Priory House, Chicksands, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the GENERAL PURPOSES COMMITTEE:

Cllrs Mrs J G Lawrence (Chairman), G Perham (Vice-Chairman),
Mrs C F Chapman MBE, Mrs A L Dodwell, P Hollick, J G Jamieson,
K C Matthews, N Warren, R D Wenham and A Zerny

[Named Substitutes:

Cllrs D Bowater, E Ghent, Ms A M W Graham, D J Lawrence, B Saunders,
M A G Versallion and J N Young]

All other Members of the Council - on request

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

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AGENDA

1. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

2. **Minutes**

To approve as a correct record the minutes of the meeting of the General Purposes Committee held on 8 December 2016 (copy attached).

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

5. **Petitions**

To receive petitions from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

6. **Questions, Statements or Deputations**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution.

Reports

Item	Subject	Page Nos.
7.	Reordering and Indexing of the Constitution - Indication of Proposals	+ To Follow
	To consider proposals regarding the reordering and indexing of the Constitution.	
8.	Report on the Arrangements for Ethical Standards	* 9 - 22
	To consider an update on Code of Conduct matters.	
	(Note: Appendix C to this report is to follow).	

9. **Review of Updates to the Constitution: January - February 2017** * 23 - 28

To consider changes made to the Constitution between January and February 2017.

10. **Work Programme** * 29 - 32

To consider the Committee's work programme.

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **GENERAL PURPOSES COMMITTEE** held at Room 14, Priory House, Chicksands, Shefford on Thursday, 8 December 2016

PRESENT

Cllr Mrs J G Lawrence (Chairman)
Cllr G Perham (Vice-Chairman)

Cllrs L Birt
Mrs A L Dodwell
P Hollick
J G Jamieson

Cllrs K C Matthews
N Warren
R D Wenham
A Zerny

Apologies for Absence: Cllrs Mrs C F Chapman MBE
M R Jones

Substitutes: Cllrs D Bowater
D J Lawrence

Officers in Attendance: Mr Q Baker – AD Legal Services (Monitoring Officer)
Mrs C Jones – Chief People Officer
Mr C Warboys – Director of Resources

GPC/16/23. **Apologies for Absence**

Apologies for absence were received from Cllr Fiona Chapman, MBE and Cllr Maurice Jones.

GPC/16/24. **Minutes**

The minutes of the meeting held on 27 October 2016 were approved as a correct record and signed by the Chairman.

GPC/16/25. **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

GPC/16/26. Chairman's Announcements and Communications

The Chairman made the following announcements:

- news had been received of the sad and unexpected death of a recent former Monitoring Officer of this Council, Melanie Clay, who had worked closely with this Committee. The Committee's thoughts were with her family at this sad time.
- in view of the Committee's comment at the last meeting (minute 16/22 refers) that it would be helpful to have an indication of proposals for the re-ordering and indexing of the Constitution at the meeting today, a document had been drafted which would be considered at the 30 March 2017 meeting prior to the report setting out the proposed detailed changes coming to the following meeting, with recommendations for full Council to consider in due course.

GPC/16/27. Petitions

No petitions had been received.

GPC/16/28. Questions, Statements or Deputations

There were no questions, statements or deputations from members of the public.

GPC/16/29. Pay Policy Statement 2017/18

The Committee noted that a revised paper and appendix had been submitted through a supplementary agenda circulation. Paper copies were also made available at the meeting.

The Committee received details of the Pay Policy Statement for 2017/18, which was required to be adopted by full Council by 31 March 2017.

Points and comments included:

- noted that the revised version of the Statement included a reference to the Council's Monitoring Officer, as required.
- a request that in future years, information be provided in the report to this Committee on mean and average salaries, giving figures.

RECOMMENDED TO COUNCIL:

that the Pay Policy Statement for 2017/18 be adopted and published on the Council's website with effect from 1 April 2017.

GPC/16/30. Wixams Joint Development Control Committee - Quorum

The Committee had previously considered revised terms of reference for Wixams Joint Development Management Committee, which included membership of Bedford Borough Council members. Bedford Borough Council had at its meeting the previous evening (7 December 2016) approved the

revised terms of reference as recommended by Central Bedfordshire Council, subject to one amendment being agreed by Central Bedfordshire Council. This amendment sought a provision within the quorum arrangements for a representative from each participating Council at any Wixams Joint Development Control Committee.

The Committee noted that this provision would mean that if no Member attended from one of the participating Councils, the meeting could not go ahead. However, without this provision, decisions could be taken affecting one council's population without elected member representation from that council being present.

Points and comments included:

- the Chairman of this Council's Development Management Committee, Cllr Matthews, was present and indicated his support for the proposal.

RECOMMENDED TO COUNCIL:

that the Constitution be amended to provide that the Terms of Reference for Wixams Join Development Management Committee require at least one representative of each participating council (Bedford Borough Council and Central Bedfordshire Council) to be present at any meeting.

GPC/16/31. Update on Amendments to the Constitution

The Committee received a report and schedule detailing the changes which have been made to the Constitution between June and November 2016.

RESOLVED

to note the changes made to maintain the Council's constitution, as set out in Appendix A to the report.

GPC/16/32. Work Programme

The Committee received details of its work programme for the remainder of the 2016/17 municipal year.

(Note: The meeting commenced at 10.00 a.m. and concluded at 10.40 a.m.)

Chairman

Dated

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Central Bedfordshire Council

GENERAL PURPOSES COMMITTEE

30 March 2017

Report on the Arrangements for Ethical Standards

Advising Officer: Quentin Baker, Monitoring Officer and Director LGSS Law Ltd

([Quentin.Baker@LGSS Law.co.uk](mailto:Quentin.Baker@LGSSLaw.co.uk))

Contact Officer: Maria Damigos, Corporate Lawyer, LGSS Law Ltd

(Maria.Damigos@LGSSLaw.co.uk)

Purpose of this report

1. To provide the Committee with a summary of the Council's ethical governance and arrangements since March 2016.

RECOMMENDATIONS

The Committee is asked to:

1. Note how the Council has complied with its obligations in respect of ethical standards under the Localism Act 2011 for the 5 months since October 2016.

Overview and Scrutiny Comments/Recommendations

1. This Report is an update on ethical standards to General Purposes Committee. No decision by the Executive or Council for the Standards update is required.

Introduction

2. The Localism Act 2011 introduced revised arrangements for local authorities in respect of ethical standards, including the Code of Conduct, Register of Interests and the handling of complaints. This Council's obligations under the Act included certain responsibilities regarding the Register of Interests and the conduct of complaints relating to Town and Parish Councils (T&PCs).
3. The Localism Act 2011 came into force on 1 July 2012 and in accordance with the Act the Council adopted a Code of Conduct, approved the matters that should be included in the Register of Interests and appointed a panel of Independent Persons to provide views on complaints.

4. The General Purposes Committee has responsibility for exercising the Council's functions under Chapter 7 of the Localism Act 2011 relating to ethical standards.

The Code of Conduct

5. The Code of Conduct adopted by the Council has also been adopted by most T&PCs in the area. However, it is open to each Council to adopt its own code and so there is not a single code of conduct that covers all councils in Central Bedfordshire. It is important therefore for Members to be clear which Code they are working to, and for the Code to be easily accessible to members of the public e.g. published on Councils' websites.
6. In practice, the Code seems to provide a sound framework for issues regarding the conduct of Members. However an ongoing issue and area of debate remains the sanctions available to the Standards Sub Committee in the event of a breach of the Code. Where there is a serious breach or persistent breaches of the Code there is no ability to suspend a Member from public office or attendance at public meetings. A list of sanctions are found at paragraph 11 of Appendix A attached.

The Register of Interests

7. The items that must be included in the Register of Interests are those disclosable pecuniary interests that were prescribed by the government in Regulations. The Council also adopted the following general obligation: As an over-riding obligation, Members are required to abide by the law and the Nolan Committee Seven Principles of Public Life in determining whether any additional interests should be disclosed.
8. All councillors are under an obligation to notify the Monitoring Officer of any disclosable pecuniary interests they have within 28 days of their election to the Council. They are also responsible for updating their register within 28 days of any change. Failure to disclose a pecuniary interest is a potential criminal offence.
9. Under the principle of honesty holders of public office have a duty to declare any private interests relating to their public duties and this is an ongoing obligation during a Member's term of office.
10. All Council members have disclosed their pecuniary interests.
11. On 19 September Committee Services introduced an on line facility for amending the Register of Member's Interests. Since then there have been approx. 3 amendments which have been notified. As amendments or updates still need to be printed for the Register kept by the Monitoring Officer amendments and updates are still being done via the relevant form with Committee Services updating the on line version of the Register of Member's Interests.

12. Under the Act, this Council's Monitoring Officer is also responsible for ensuring that the registers of interest for all the T&PCs in Central Bedfordshire are published on the Council's website and are available for inspection.
13. The up to date figures for notification of Town and Parish Councillors interests were not available at the time of writing this report but will be attached as Appendix C. Queries relating to Town and Parish Council forms are continuing to be resolved and both LGSS Law Ltd and Committee Services continue to chase outstanding forms.

Independent Persons

14. The Act provides that each Council must appoint at least one Independent Person whose views are to be sought and taken into account before the Council makes a decision following the investigation of a complaint that a Member of the Council or a Town or Parish Councillor has failed to comply with the Code of Conduct. The Council normally also consults an Independent Person when making a decision on how to progress a complaint which comes under the Code of Conduct. Subject Members also have the right to consult an Independent Person if a complaint is made about them. A minimal fee and reasonable expenses are provided to an Independent Person per case.
15. The Council originally worked in collaboration with Luton and Milton Keynes Councils and the Bedfordshire and Luton Fire & Rescue Service and the Buckinghamshire and Milton Keynes Fire Authority to establish a joint panel of Independent Persons. All Independent Persons were held on the Panel by way of retainer, the cost of which was shared across the Authorities with each Authority paying fees and expenses for their own cases.
16. This arrangement worked well providing an effective backstop and reality check for the Monitoring Officer as part of the initial assessment and investigations stages of the procedures and support for Members against whom a complaint has been made. This arrangement also provided greater resilience in the event of unavailability, conflict and also for peaks of complaints as well as a greater breadth of experience.
17. The appointment of the then 7 Independent Persons will expire at the end of March 2017. On 17 November 2016 full Council confirmed the extension of the appointment of 4 Independent Persons to September 2020 upon the recommendation of this Committee. These Independent Persons will be shared with Luton Borough Council, Milton Keynes Council and Buckinghamshire and Milton Keynes Fire Authority.

Complaints

18. A copy of the procedure that the Council has adopted for handling complaints is attached as Appendix A.
19. The procedure provides that where the conduct complained of comes under the Code of Conduct, there will be an initial assessment of the complaint, in consultation with an Independent Person to decide whether there is a potential breach of the Code of Conduct and what, if any, further action to take. This includes formal investigation which could lead to a Standards Sub-Committee hearing to determine the facts and, if appropriate, sanction the Member. At any point the Monitoring Officer can ask for a review of the complaint by the Standards Sub-Committee. Current resources to administer this work are the Monitoring Officer's time with support from the Corporate Lawyer (currently 1FTE). During the past 5 months no cases have been formally investigated.
20. For the period October 2016 to March 2017 the Monitoring Officer has received 2 complaints (there were 10 in the same period last year) with 1 complaint being carried over from September 2016 making a total of 3 complaints being dealt with in the period. The complaints received were spread across 2 T&PCs. As at the time of writing this report one complaint remains open. It is anticipated that this complaint will be closed by the end of March 2017 and one new complaint is expected.
21. Appendix B shows the cumulative totals of complaints received since June 2012.
22. Following recommendations from this Committee, on 17 November 2016 the Council resolved to publish decisions relating to complaints against its Members. The Constitution has been amended accordingly.

Training

23. Since August 2014 there has been ongoing liaison with the Clerks which has seen an increase in the queries related to ethical matters. It is considered this has resulted in matters being dealt with before they become complaints.
24. T&PCs are also still being encouraged to deal with more minor matters at a local level and guidance on ethical matters continues to be provided to both Councillors and Clerks.
25. Guidance on social media is still being explored but no interest has been received.

Arrangements for the Future

26. The Monitoring Officer retains statutory responsibility for dealing with Code of Conduct complaints. LGSS Law Ltd is now dealing with the day to day work relating to Code of Conduct and ethics issues. There has been no change noted in the level of contact by T&PC's and work to encourage best practice, facilitating training and development opportunities and guidance for all Councillors and Clerks will continue.
27. Monitoring and statistics for Code of Conduct complaints will continue to be provided.
28. Where T&PCs require guidance unrelated to ethical matters this will be dealt with between LGSS Law Ltd and the T&PCs separately.

Council Priorities

29. The effectiveness of the Council's governance arrangements contributes to the achievement of all the Council's priorities.

Corporate Implications

Risk Management

30. It is important that the Council has in place an effective local framework to secure high ethical standards in the conduct of its business. The main risk to the Council of a failure in the area of ethical standards is reputational.

Staffing (including Trades Unions)

31. There are no specific staffing issues arising from this report, however members are reminded that the Councillor Code of Conduct is complemented by the Protocol for Member/Officer Relations.

Legal Implications

32. Under the Localism Act 2011, the Council introduced, as required, revised arrangements governing ethical standards, including a Code of Conduct, arrangements for handling complaints and the establishment of a Register of Members Interests. The Council also has responsibility for overseeing the arrangements that are adopted by T&PCs and for investigating Code of Conduct complaints made against Town and Parish Councillors.

Financial Implications

33. This report raises no specific financial implications at this time. However Members are advised that there are limited resources

available for this work. Guidance on, and work related to, ethical matters will be work undertaken by LGSS Law Ltd on behalf of the Council and therefore there is a need to ensure such work is as efficient as possible to minimise costs.

Equalities Implications

34. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These requirements are recognised in the accountability principle of public life which forms part of the Members Code of Conduct.

Conclusion and next Steps

35. Although the number and types of complaints cannot be predicted, the figures show that the number of complaints being dealt with is continuing to reduce over time.

Appendices

The following Appendices are attached:

- Appendix A – Section F2 of Constitution – Arrangements for dealing with Standards Allegations under the Localism Act 2011
- Appendix B – Cumulative total of Councillor Code of Conduct Complaints
- Appendix C – Figures for notification of Members Interests – to follow

Background Papers

None

**F2 ARRANGEMENTS FOR DEALING WITH STANDARDS
ALLEGATIONS UNDER THE LOCALISM ACT 2011**

Context

1. These “Arrangements” are made in accordance with section 28 (6) and (7) of the Localism Act 2011. They set out how to make a complaint that an elected or co-opted member of this Council or of a parish council within its area has failed to comply with the relevant authority’s Code of Conduct. They also set out how the Council will deal with any complaints about such failures.

The Code of Conduct

2. Central Bedfordshire Council has adopted a Code of Conduct for Members, and this Code is available for inspection on the Council’s website or on request from the Monitoring Officer at Priory House, Chicksands.
3. Each town and parish council in the area is also required to adopt a Code of Conduct. Copies of these Codes are available on the relevant council’s website or on request from the town or parish clerk.

The Independent Person

4. The Council is required to appoint at least one independent person. The Council must consult an independent person and take his/her views into account before making a decision on a complaint that it has investigated.
5. The independent person may be consulted by the Council at various stages in the complaints process and can also be consulted by a Member who is the subject of a complaint.

Making a complaint

6. A complaint that a member of Central Bedfordshire Council or of a town or parish council in the District has failed to observe the Council’s Code of conduct should be submitted to:
7. The Monitoring Officer
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire
SG17 5TQ

8. The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the register of Members' interests and who is responsible for administering the arrangements for complaints about Member misconduct.
9. In order to ensure that the Monitoring Officer has all the information needed to process complaints, they should be submitted using the model complaint form which also explains the process and the relevant referral criteria at initial assessment. The complaint form can be downloaded from the Council's website. A copy of the form is also available on request from the Monitoring Officer.
10. Complainants must provide their name, postal address and, where possible, their email address. The Council will not normally investigate an anonymous complaint, unless there is a clear public interest in doing so.
11. The Monitoring Officer will acknowledge receipt of the complaint and will notify the Member against whom the complaint is directed by providing a copy of the complaint to them within 5 working days of receiving it, and will keep both the complainant and the Member informed about the progress of the complaint.

Complaints against Central Bedfordshire Council Members

12. At the conclusion of a complaint against a Central Bedfordshire Council member a notice detailing the decision will be placed on the relevant page on the Council's website.

Initial Assessment

13. The Monitoring Officer will assess every Councillor Code of Conduct complaint received and, after consultation with the Independent Person, will take a decision as to whether it merits formal investigation. This decision will normally be taken within 20 working days of receipt of a complaint but may take longer if additional information is sought.

Whilst each allegation will be considered on its individual merits, the following "Referral Criteria" will be used at the initial assessment to decide whether to accept a complaint for investigation, take no further action or to decide upon some form of local resolution.

Referral Criteria

14. The matters detailed below will be considered.

- Is the subject Member still a serving Member?
 - Is the information submitted sufficient on which to make a decision?
 - Is the complaint the same as or similar to a previous complaint?
 - the complainant's view of the action which is proposed or has been taken
 - the steps already taken or proposed to remedy the action complained of
 - complaints about a Council member by a member of the same Council will not normally be referred until the Monitoring Officer considers that other processes such as informal, political group or Chairman mediation have taken place
 - the time passed since the alleged conduct occurred
 - whether the complaint involves conduct too trivial to warrant further action
 - whether the complaint appears to be malicious, politically motivated or tit for tat
 - whether the matter complained of is an individual act or part of a continuous pattern of behaviour which should be cumulatively considered
 - the public benefit in investigating the alleged complaint
 - the availability and cost of resources balanced with the seriousness of the alleged matter
 - Any complaint made by an officer about a Council member will normally only be referred for investigation after the protocol for Member/Officer Relations has been pursued.
 - any other substantial reason.
- 15.** Where the Monitoring Officer requires additional information in order to come to a decision, he/she may ask the complainant to provide further information, and may also request information from the Member against whom the complaint is directed.
- 16.** Where the complaint relates to a parish councillor, the Monitoring Officer may also inform the Parish Council about the complaint.

Informal Resolution

- 17.** In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally without the need for a formal investigation. Such informal resolution may involve, for example, the Member accepting that his/her conduct was unacceptable and offering an apology, or other appropriate remedial action. Where the member or the authority makes a reasonable offer of informal resolution, but the complainant is unwilling to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

Investigation

18. If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer, who may be another officer of the authority, an officer of another authority or an external investigator.
19. The Investigating Officer will decide whether he/she needs to meet or speak to the complainant to understand the nature of the complaint, to obtain an understanding of events, to identify what documents the Investigating Officer needs to see and who the Investigating Officer needs to interview.
20. The Investigating Officer will normally contact the Member against whom the complaint has been made to provide him/her with a copy of the complaint and to obtain the member's explanation of events. The Member will be invited to identify what documents the Investigating Officer needs to see and who he/she needs to interview.
21. In exceptional cases, where it is appropriate to keep the complainant's identity confidential or where disclosure of the details of the complaint to the member might prejudice the investigation, the Monitoring Officer may redact the complainant's name and address from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.
22. At any point, the Investigating Officer may refer the complaint to the Monitoring Officer to resolve it without a full investigation or to reject it.
23. At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to the complainant and to the Member concerned, to give them both an opportunity to identify any matter in the report with which they disagree or which requires more consideration.
24. Having received and taken account of any comments made on the draft report, the Investigating Officer will submit his/her final report to the Monitoring Officer.
25. The Monitoring Officer will review the Investigating Officer's report and will decide what action to take. There are three possible courses of action:
 - **No action**
 - **Local Resolution**
 - **Hearing**

No Action

26. If the Investigating Officer concludes that there has been no breach and the Monitoring Officer is satisfied that this conclusion is sound, then he/she may decide that no further action should be taken in relation to the complaint. If the Monitoring Officer is not so satisfied, then his/her decision will be final.

Local Resolution

27. If the Investigating Officer concludes that there has been a breach of the Council's Code of Conduct, the Monitoring Officer may, after consulting the Independent Person, seek a local resolution of the complaint.
28. A local resolution may include the Member acknowledging that his/her conduct was unacceptable and offering an apology and or accepting other remedial action by the Council.
29. If the Member and the complainant agree to accept the suggested resolution, the Monitoring Officer will report the matter to the Standards Sub-Committee (and the Parish Council) for information, but will take no further action. Neither the Member nor the complainant has the right to reject the Monitoring Officer's suggested resolution and any non-acceptance by either will be reported to the Standards Sub-Committee.

Hearings

30. If the Monitoring Officer considers that 'local resolution' or 'no action' is not appropriate or adequate, then the Monitoring Officer will submit the Investigating Officer's report to the Standards Sub-Committee which will conduct a hearing into the complaint before deciding whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the matter.
31. Following the hearing, the Standards Sub-Committee, with the benefit of any advice from the Independent Person, may conclude that the Member did not fail to comply with the Code of Conduct, and so will dismiss the complaint.
32. If the Standards Sub-Committee concludes that the Member has failed to comply with the Code of Conduct, the Chairman will inform the Member of this finding and the Sub-Committee will then consider what action, if any, should be taken as a result of the Member's failure to comply with the Code.

33. Before reaching a decision, the Standards Sub-Committee will give the Member an opportunity to make representations and will consult the Independent Person.

Sanctions

34. The Council has delegated to the Standards Sub-Committee authority to take such action in respect of individual Members as may be available to promote and maintain high standards of conduct. Accordingly the Sub-Committee may –

- 34.1 censure the Member;
- 34.2 publish its findings in respect of the Member's conduct;
- 34.3 report its findings to the Council (or to the Parish Council) for information;
- 34.4 instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the Member;
- 34.5 inform the Member's Group Leader

35. The Standards Sub-Committee has no power to suspend or disqualify the Member or to withdraw any special responsibility allowances to which the Member may be entitled under the Council's Members' Allowances Scheme.

36. The Independent Person is invited to attend all meetings of the Standards Sub-Committee and his/her views will be sought and taken into consideration before the Sub-Committee takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and also as to any action to be taken following a finding of failure to comply with the Code of Conduct.

Revision of these arrangements

37. The Council has delegated its responsibilities under Chapter 7 of the Localism Act 2011 to the General Purposes Committee. The General Purposes Committee may therefore amend these arrangements. The General Purposes Committee resolved on 17 July 2014 that authority be delegated to the Monitoring Officer, in consultation with the Chairman of the General Purposes Committee, to amend the arrangements for dealing with Standards allegations made under the Localism Act 2011.

APPENDIX B

Councillor Code of Conduct Complaints Cumulative Summary

Month	Cases Opened in Month	Cases closed in Month	Number of active cases at end of Month
June 12	4	-	4
July 12	1	-	5
August 12	3	-	8
September 12	1	-	9
October 12	-	-	9
November 12	2	1	10
December 12	-	-	10
January 13	2	-	12
February 13	-	-	12
March 13	-	-	12
April 13	8	-	20
May 13	3	-	23
June 13	3	-	26
July 13	2	-	28
August 13	-	-	28
September 13	-	-	28
October 13	2	-	30
November 13	1	14	17
December 13	5	-	22
January 14	-	-	22
February 14	-	-	22
March 14	1	1	22
April 14	11	-	33
May 14	6	6	33
June 14	7	1	39
July 14	9	6	42
August 14	3	8	37
September 14	2 (1 new + 1 review)	10	29
October 14	5	7	27
November 14	4	1	30
December 14	2	14	18
January 15	1	4	15
February 15	4	3	16
March 15	3	3	16
April 15	1	9	8
May 15	3	1	10
June 15	-	1	9
July 15	2	3	8
August 15	4	3	9
September 15	1	4	6
October 15	4	4	6
November 15	0 *	5	1
December 15	2	1	2
January 16	0	2	0
February 16	3	3	0
March 16	1	0	1
April 16	0	1	0

APPENDIX B

May 16	1	0	1
June 16	1	1	1
July 16	0	1	0
August 16	1**	1	0
September 16	1	0	1
October 16	0	1	0
November 16	2	0	2
December 16	0	0	2
January 17	0	1	1
February 17	0	0	1
March 17	0	0	1

*originally "1" however this was actually a general complaint not a Code issue so was removed

** originally detailed as "2" corrected to "1"

Central Bedfordshire Council

GENERAL PURPOSES COMMITTEE

30 March 2017

Review of Updates to the Constitution: January – February 2017

Report of Cllr Richard Wenham, Executive Member for Corporate Resources
(richard.wenham@centralbedfordshire.gov)

Advising Officers:
Charles Warboys, Director of Resources
(charles.warboys@centralbedfordshire.gov.uk)

Mel Peaston, Committee Services Manager
(mel.peaston@centralbedfordshire.gov.uk)

Purpose of the report

1. This report sets out the changes which have been made to the Constitution in January and February 2017.

RECOMMENDATION

The Committee is asked:

1. **to note the changes made to maintain the Council's Constitution, set out in Appendix A and Appendix B.**

Overview and Scrutiny Comments/Recommendations

1. Oversight of the Constitution falls within the remit of the General Purposes Committee rather than overview and scrutiny.

Maintenance of the Constitution

2. The Monitoring Officer has been granted delegated powers to make urgent and minor amendments to the Constitution as set out in Part A5 paragraph 2.3 of the Constitution, and is required to report to the Committee at intervals on any amendments which have been made.
3. Two schedules of the amendments which have been made by the Monitoring Officer under his delegated powers, and by Council, since the last report to the Committee, and these are attached at **Appendix A and Appendix B** for the Committee to note.

Council Priorities

4. Maintenance of the Constitution, which is the Council's rule-book, contributes to the Council priority 'a more efficient and responsive Council'.

Legal Implications

5. The Constitution should be maintained in an up-to-date state and the action taken complies with this duty.

Financial and Risk Implications

6. There are no financial or risk implications.

Equalities Implications

7. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
8. Amendments to the Constitution have been considered in light of this statutory duty.

Implications for Work Programming

9. There are no implications for overview and scrutiny work programming.

Conclusion and next Steps

10. The Constitution has been updated and is published on the Council's website.

Appendices

Appendix A: Schedule of changes to the Constitution - January 2017

Appendix B: Schedule of changes to the Constitution - February 2017

Background Papers

None

Amendments to the Constitution for the period: January 2017

APPENDIX A

Remove pages	Insert pages	Section of the Constitution	Proposed Change	Reason	Date approved by Monitoring Officer
Pages 1-2	Pages 1-2	Contents page	Page numbers	To update the page numbers consequential to making the amendments listed below.	
Pages 1-19	Pages 1-19	Part A4 Annex 3	Correct title of Director	Outdated title	04.01.17
Pages 1-14	Pages 1-14	Part H1	Correct titles of Directors	To maintain the Constitution as an accurate and up to date document.	04.01.17
Page 1	Page 1	Part H2	Correct link to Senior Management Structure	Link was broken and needed correcting	04.01.17
Pages 1-68	Pages 1-65	Part H3	Move responsibilities under the correct Directorate Correct some minor typing errors and numbering	Following the resignation of a Director and changes to the senior management structure and allocation of responsibilities, to correct the delegations to reflect the current position. To maintain the Constitution as an accurate and up to date document.	04.01.17
Pages 1-22	Pages 1-22	Part I2, section 7.2	Correct numbering errors	To maintain the Constitution as an accurate and up to date document.	04.01.17

Additional changes to the Constitution which have been approved by Council

Remove pages	Insert pages	Section of the Constitution	Proposed Change	Reason	Date approved by Monitoring Officer
Pages 1-7	Pages 1-6	Part F2	Provides for MO to publish decisions following resolution of	Recommended by General Purposes Committee and approved by Council.	Council 17.11.16

Remove pages	Insert pages	Section of the Constitution	Proposed Change	Reason	Date approved by Monitoring Officer
			standards allegations against a CBC member		
Pages 1 – 13	Pages 1 - 13	Part K, Members' Allowances	Reflect ratification of the scheme by adding the relevant date at the front	Recommended by General Purposes Committee and approved by Council	Council 17.11.16

**Amendments to the Constitution
For the period: February 2017**

APPENDIX B

Remove pages	Insert pages	Section of the Constitution	Proposed Change	Reason	Date approved by Council
1-16	1-23	Part J2	Updating of the Terms of Reference of the Wixams Joint Development Committee, with inclusion of the detailed Standing Orders	<p>Agreed with Bedford Borough Council through both local authorities' General Purposes Committee and Council.</p> <p>(CBC approved the bulk of the changes on 21 July 2016; then Bedford Borough Council proposed an amendment to the quorum arrangements which was approved by CBC on 19 January 2017. Both Councils are now in a position to update their respective Constitution with the same wording.)</p>	21 July 2016 and an additional amendment to the quorum arrangements on 19 January 2017.

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Central Bedfordshire Council

GENERAL PURPOSES COMMITTEE

8 December 2016

Work Programme

Advising Officers:

Mel Peaston, Committee Services Manager
(mel.peaston@centralbedfordshire.gov.uk)

Leslie Manning, Committee Services Officer
(leslie.manning@centralbedfordshire.gov.uk)

Purpose of this report

The purpose of this report is to assist the General Purposes Committee in discharging its responsibilities by providing a proposed work programme for consideration.

RECOMMENDATION

That the Committee considers the proposed work programme attached at Appendix A.

Overview and Scrutiny Comments/Recommendations

1. This report is not scheduled to be considered by Overview and Scrutiny because the General Purposes Committee has full delegated powers to deal with all non-Executive functions which are not reserved to the full Council or are not otherwise delegated.

Background

2. To assist the General Purposes Committee a work programme is attached at Appendix A to this report. The work programme contains the known agenda items that the Committee will need to consider.
3. Additional items will be identified as the municipal year progresses. The work programme is therefore subject to change.

Council Priorities

4. The activities of the General Purposes Committee are crucial to the governance arrangements of the organisation.

Corporate Implications

Legal Implications

5. There are no legal implications.

Financial Implications

6. There are no financial implications.

Equalities Implications

7. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
8. Report authors will be encouraged to work with the Corporate Policy Advisor (Equality & Diversity) in order to ensure that relevant equality implications are identified.

Conclusion and next Steps

9. This report will assist the General Purposes Committee in discharging its responsibilities. Any amendments approved by the Committee will be incorporated in the work programme.

Appendices

Appendix A – General Purposes Committee Work Programme

Background Papers

None

Appendix A

General Purposes Committee Work Programme

2016/17 Municipal Year	
8 December 2016	<ul style="list-style-type: none"> • Pay Policy Statement 2017/18 (CJ) • Wixams Joint Development Control Committee – Quorum (MP) • Update on Changes to the Constitution (MP) • Work Programme (LM)
30 March 2017	<ul style="list-style-type: none"> • Code of Conduct Matters – Update (QB) • Reordering and Indexing of the Constitution – Indication of Proposals (QB) • Review of Updates to the Constitution: January – February 2017 (MP) • Work Programme (LM)
2017/18 Municipal Year	
22 June 2017	<ul style="list-style-type: none"> • Amendments to the Council's Constitution (QB/MD) • Market Rate Supplement Payments – Annual Update (CJ) • Work Programme (LM)
24 August 2017	<ul style="list-style-type: none"> • Arrangements for Ethical Standards (Standards Complaints) (QB) • Work Programme (LM)
26 October 2017	<ul style="list-style-type: none"> • RIPA – Annual Review of Council's Policy and Procedure (inc. summaries of covert intelligence activities) (QB) • Work Programme (LM)

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