

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