

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