



Standards and General Purposes Committee minutes

Minutes of the meeting of the Standards and General Purposes Committee held on Thursday 17 November 2022 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 6.00 pm and concluding at 6.50 pm.

Members present

T Broom, B Chapple OBE, P Brazier, R Carington, S Chhokar, P Gomm, C Oliver, M Smith and D Thompson

Others in attendance

R Binstead, M Bloxham, N Graham, J Griffin and G Watson

Apologies

M Baldwin, T Green and L Smith BEM

Agenda Item

1 Apologies

Apologies were received from Councillors M Baldwin, T Green, H Mordue and L Smith.

2 Minutes

RESOLVED –

That the Minutes of the meeting held on 14 July 2022 be approved as a correct record.

3 Declarations of Interest

There were none.

4 Buckinghamshire Electoral Review

The Committee received a report on the Buckinghamshire Electoral Review and were asked to make recommendations to Council on the Local Government Boundary Commission's proposed wards for Buckinghamshire Council. The Electoral Review Working Group had assisted the Committee by recommending certain changes which it believed would achieve a better balance of the statutory criteria. The Committee were asked to adopt these recommendations and commend them to Council on 30 November 2022.

The Commission had specifically invited comments on ten of their proposed wards. The Working Group was suggesting a change to eight of those. The Group also felt it important to invite all members of the Council to comment on the Commission's 41 other wards. Having reviewed the responses, the Group had recommended two further changes, as summarised in Annex 1 and illustrated in Annex 2 of the agenda.

The Committee were informed that the Working Group had been mindful only to suggest changes where they substantially improved upon the Commission's own proposal. The consensus of the Group had been to focus on the few issues that would make a significant difference. In most cases, the suggested change actively builds on the Commission's working assumptions that:

- A. Parishes be kept whole where possible
- B. Rural wards are not too geographical spread out and diverse
- C. Electoral variance is within acceptable limits
- D. Urban and rural areas should not be mixed where possible

In one instance, the Working Group had recommended a significant change to the Chiltern Ridges ward the Commission proposed. It was felt that the interests of the parishes were better associated with neighbouring wards. In three cases, the Working Group had recommended that the Commission's individual wards be merged with another, with one being Newton Longville and Quinton uniting under the name Swanbourne and Rural Villages.

In other cases, the Group had proposed a modification to the Commission's proposals in the interests of community identity; either by emphasising importance of keeping parish boundaries whole (as in the case of Iver and Gerrards Cross & Denham and Little Marlow Parish), or where it was felt that certain aspects of the community were more associated with a neighbouring ward (as in the case of Terriers & Amersham Hill and Totteridge & Bowerdean and Penn, Tylers Green & Loudwater and Beaconsfield).

It was noted that the proposals brought forward from the Working Group were sound and respected the outcome the Commission was seeking to achieve while also bringing local knowledge and perspective to improve upon the Commission's proposed pattern of wards.

The Chairman thanked Members of the Committee for their work as part of the Electoral Review Working Group, and Officers for all their hard work in supporting Members, the Working Group and the Committee.

It was proposed by Councillor T Broom and seconded by Councillor B Chapple and following a unanimous vote:

RESOLVED:

- 1) To adopt the recommendations made by the Electoral Review Working**

Group, as set out in Annex 1 of the report.

- 2) To recommend Council that these should form the Council's response to the Local Government Boundary Commission's consultation on proposed wards for Buckinghamshire Council.**

5 2023 Review of Parliamentary Constituencies

The Committee received a report highlighting the Boundary Commission for England's (BCE) final consultation on proposed changes to the parliamentary constituencies for 2023.

The following key difference between the initial and final proposals by the Boundary Commission for the Buckinghamshire Council area were highlighted by the Electoral Services Manager:

- No change from initial proposals for the Aylesbury Constituency.
- The current Beaconsfield ward be moved from Chesham & Amersham constituency to Beaconsfield constituency. Part of the current Gerrards Cross ward (Eastern side) moves from Beaconsfield Constituency to Chesham & Amersham Constituency.
- No change from earlier on in the consultation for Buckingham and Bletchley Constituency.
- Constituency name changed from Princes Risborough to Mid Buckinghamshire.
- Constituency name changed from High Wycombe to Wycombe.

It was noted that the proposed Buckingham and Bletchley Constituency would cover parts of the Buckinghamshire and Milton Keynes authority areas and would require cross working between authorities.

As part of the changes to the Elections Act 2002, there had been a change in requirement for electors to show identification when they vote at a polling station. This change would come into effect for parliamentary elections from 5 October 2023 and for all other elections from May 2023.

Members considered the report and commented:

- That the Boundary Commission had proposed that Hazlemere ward be included in the Chesham & Amersham Constituency. As part of the earlier stage of consultation, it was suggested that Hazlemere ward be retained within the Wycombe Constituency, alongside Tylers Green & Loudwater being included in Chesham & Amersham.
- That it was preferred not to split up the current Gerrards Cross ward.
- Concern was raised over how the Buckingham and Bletchley Constituency would be managed between two authorities.

It was agreed that the Council submit a response to the Commission's final consultation repeating the Council's comments submitted during the initial consultation.

RESOLVED –

To note the final proposals for the 2023 review of Parliamentary Constituencies from the Boundary Commission for England (BCE).

6 Member Code of Conduct Complaints - Quarterly Review

The Committee received the Member Code of Conduct Complaints Quarterly Review. The report provided a review of the Member Code of Conduct complaints that were opened and then closed during Quarter 2. This would normally be for the period July to September. As the Committee did not meet in October, the report brings the information up to date for November 2022. Similarly, the report updated the Committee on currently open complaints. As requested by the Committee, the annexes included information on the number of parish councils involved; and the number of individuals who were the subject of open complaints.

It was noted that Buckinghamshire Council would continue to provide training to both Buckinghamshire Councillors as well as town and parish Councillors. Bespoke training had been issued to individual Parish Councils in addition to specific training delivered with the Local Association of Councils.

The Service Director of Legal and Democratic Services informed the Committee of the national initiative by the National Association of Local Councils regarding civility and public life. The Committee had previously looked at social media in regard to complaints and reviewed the guidance issued. In light of the national guidance from the Association of Local Councils, it was suggested that this be revisited in the future.

Previously the Committee had requested additional information within the Quarterly Review to include the number of Parish and Town Councils whose Councillors had attracted complaints, the number of different individuals subject to complaint, and more details regarding the complaints. The Committee noted that these had been provided in the Quarter 2 report. During the meeting, it was requested that information regarding the outcomes and remedies from upheld complaints be included in future reports where possible.

Annex 1 in the Committee report contained information on closed Parish and Town Council complaints over Quarter 2 (July 2022 onwards including October). 5 Parish Councils attracted 8 complaints, where had been closed. 1 Parish Council accounted for 3 of these complaints, whilst another Parish Council accounted for 2. Overall, 7 individuals had been involved in those particular complaints and 1 individual had been complained about twice.

Annex 2 concerned closed complaints about Buckinghamshire Council. In total, 2 Councillors had received complaints.

Annex 3 set out the complaints that were currently open. This showed 9 complaints currently open, relating to 3 individuals. 1 Parish Councillor received 3 complaints

and would be the subject of a Stage 3 hearing. 5 complaints related to 1 Buckinghamshire Councillor. The remaining complaint also concerned a Buckinghamshire Councillor.

Each annex gave a corresponding summary of the code principle relating to the alleged breach. Similarly to the previous quarter and the past year, the main reason for complaints had been perceived disrespect. A couple of instances had concerned alleged instances of bullying Parish Council Officers or the suggestion of a conflict of interest. It was noted that no breaches had been identified within the closed complaints.

RESOLVED:

- 1) To note and comment upon the Quarter 2 report into Member Code of Conduct Complaints that were opened and then closed in that period, as at Annexes 1-2.**
- 2) To note and comment upon the Member Code of Conduct complaints currently open, as at Annex 3.**

7 Local Government and Social Care Ombudsman - Annual Review Report

The Committee received the Annual Review Report for the year 2020/21, reflecting on complaints that were considered by the Ombudsman up to 31 March 2022. It was explained that a proportion of complaints in the report refer to previous years, as the Ombudsman was dealing with a backlog due to the COVID pandemic and therefore concerns legacy Councils. Thus, focus would be on complaints the Ombudsman reviewed for Buckinghamshire Council and ensuring that appropriate remedies were pursued.

Within the report, the Ombudsman stated that complaints would be upheld, even if Buckinghamshire Council had already upheld the complaint and a number of complaints has been taken up with the relevant services to deliver improvements.

Members considered the report and commented:

- Whether the recommendation regarding the wording on forms given to complainants had been resolved. It was confirmed that the incorrect wording had been sent out in error under the legacy Councils and had been remedied.
- Concern was raised over the financial implementations of complaints received by the Ombudsman and the resulting remedies. It was explained that a financial remedy was only pursued where appropriate and the Ombudsman looks at compensation on a tariff basis.
- That it would be helpful in measuring the effectiveness of the complaints process to see the extent of which the Ombudsman agreed with Buckinghamshire Council decisions and if the Ombudsman agreed with the level of compensation where applicable. The percentage of upheld complaints where Buckinghamshire Council gave a satisfactory remedy could be found within the Ombudsman's letter in the agenda pack. It was identified that Buckinghamshire Council fell below relevant comparisons, which was

being picked up with the appropriate service to pursue improvements.

RESOLVED:

To note the content of the report.

8 Constitution Working Group

The Constitution Working Group met on 8 November 2022 to discuss updating the Constitution following Council agreeing the changes in principal and also discussed the contract procedure rules.

The purpose of the meeting was to ensure that the Working Group captured the changes to the constitution made at Full Council. The changes included changes to contract procedure rules, ensuring good governance, and the tendering process. The Working Group were asked to review the Community Board Terms of Reference and to discuss how officers can better support local Members. Further work would be undertaken to address these points, which would be sent to the Committee at a later date.

RESOLVED:

The Committee noted the verbal report.

9 Work Programme

The Committee were asked to consider the work programme attached to the agenda pack.

The following points were highlighted:

- The Committee had been charged with reviewing electoral matters and it was proposed that the Committee receive a report outlining the implementation of the Elections Act 2022 in Buckinghamshire. The legislation required all voters to show photo identification when voting in person, and brought about other changes which included greater restrictions on campaigners' handling postal votes.
- Members were reminded of the decision in July 2020 to pause consideration of community governance reviews in light of the Local Government Boundary Commission's review of Buckinghamshire Council ward boundaries. The Community Governance Review for the Wycombe area was highlighted as needing to come back to the Committee for decision as well as reviews requested for other areas of Buckinghamshire moving forward.

RESOLVED:

The Committee is asked to note the Work Programme.

10 Date of Next Meeting

The next meeting would be held at 2pm on Thursday 13 April 2023. It was noted that

the meeting on Thursday 8 December had been cancelled as it was no longer required.