



Standards and General Purposes Committee minutes

Minutes of the meeting of the Standards and General Purposes Committee held on Thursday 19 October 2023 in Jubilee Room - The Gateway, commencing at 2.00 pm and concluding at 2.30 pm.

Members present

D Goss, B Chapple OBE, M Baldwin, P Brazier, R Carington, J Chhokar, P Gomm, T Green, H Mordue, M Smith and D Thompson

Others in attendance

Nick Graham, Glenn Watson, Clare Gray

Apologies

S Lambert, C Oliver and L Smith BEM

Agenda Item

1 Apologies

Apologies were received from Councillors S Lambert, C Oliver and L Smith BEM.

2 Minutes **RESOLVED –**

That the Minutes of the meeting held on 24 August 2023 be agreed as a correct record.

3 Declarations of Interest

Councillor D Goss declared a personal interest as an employee of the Conservative party and that stated that he also undertook voluntary roles locally within the Conservative party.

Councillor J Chhokar declared a personal interest in agenda item number 5 as a Gerrards Cross Town Councillor.

4 Report on changes to the Constitution

Under s9P Local Government Act 2000 the Council was required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as was required or was desirable. There was a rolling review

of the Constitution to ensure that it remained relevant and appropriate to ensure the Council's operation as a new authority was properly supported and governed by the Constitution. This would be supplemented by a more in-depth consideration by members of the changes to the Constitution that would be required as a result of the recent Electoral Review.

The Committee received a report and was informed that the changes approved by Council to the Constitution in April 2022 had been agreed except for:

Strengthening provisions in the Constitution to requiring officers to share information with local Members about issues impacting their areas.

Providing for draft recommendations of planning officers on planning applications to be shared with local Members. In addition, the Terms of Reference for the Community Boards had been drafted and were waiting for comments on minor points. Further work on these areas and the appropriate textual amendments were being undertaken by the Working Group.

The Monitoring Officer also had delegated powers to update the Constitution to reflect changes in legislation or legal requirements and to make minor amendments such as clarifications or corrections. Recent changes made or to be made by the Monitoring Officer were:

- Update of the Members Allowance Scheme in line with inflation.
- Update to take account of replacement of Public Health England by UK Health Security Agency and Office for Health Improvement and Disparities.
- Update to take account of change of name of Integrated Care Partnership to Integrated Care Board.
- Update to the Contract Procedure Rules (after comment by the Members Working Group).

The Members Working Group had discussed further proposals for recommendations relating to planning and nomination of chairman of committees by Officers. The Group would also consider whether recommendations were needed in relation to petitions. It was also intended to put forward changes to the Licensing Sub-Committee procedure rules for recommendation together with any other potential changes or issues that were raised.

Members had originally required that all constitutional changes were made together in order to limit the need to reprint hard copies after individual updates. Given the number of changes now finalised and waiting to be made the Constitution would be updated and re-published to include the changed detailed.

RESOLVED –

That the report on changes to the Constitution be NOTED.

5 Member Code of Conduct Complaints – Quarter 2 Review

The Committee received a report which gave an overview of the Member Code of Conduct complaints that were opened and/or closed during Quarter 2 (July to

September) this year. Of the 17 complaints considered in Quarter 2, no breach of the Code had been found thus far.

With regard to Parish and Town Councils six complaints were received between July and September. A seventh complaint would be the subject of a Hearing Sub-Committee meeting of this Committee at Stage 3. This would be convened shortly in accordance with the protocol agreed at the last meeting. Three complaints were closed within this period, none resulting in a breach. In all three, the matters complained of were more to do with the relevant council's governance than the conduct of the individual. In a departure from recent trends, none of the parish/town council complaints received in Quarter 2 related to 'disrespect' and were more concerned with governance or other technical points.

Ten Buckinghamshire Council complaints were received and closed between July and September 2023. No breaches were found. As with parish/town complaints, there was a shift away from complaints about 'respect' to more technical or governance matters – hospitality provisions, data protection, non-response to emails. Perceived delay or nonresponse to emails by councillors was not in itself a Code of Conduct issue; unlike officers, councillors were not subject to particular rules on the timeframes or prioritisation of their correspondence.

On 7 September 2023, the Buckinghamshire and Milton Keynes Association of Parish and Town Councils held its annual training event on Civility and Respect. The Principal Governance Officer gave a presentation on Buckinghamshire Council's experience of handling parish/town council complaints over the past year.

It was reported at the last meeting that a Hughenden Parish Councillor, found to have breached the Code earlier this year, had not as yet discharged all of the sanctions imposed by the Parish Council. The sanctions had been recommended by this Council. At an Extraordinary Meeting of Hughenden Parish Council held on 26 September, the Council resolved to make a Code of Conduct complaint to the Monitoring Officer on the basis of apparent non-compliance with sanctions, alleging a breach of the Hughenden Parish Council's Member Code of Conduct. The complaint had been received and was being considered by the Monitoring Officer.

A question was asked, which had been raised before, in how Buckinghamshire compared to similar unitary councils. The Principal Governance Officer replied that an officer was currently undertaking some research on this and once completed would be circulated to the Committee. Not all Unitary Councils publish details of their complaints. In relation to this another Member commented that many Councils were different in terms of size etc and therefore it was important to look at performance year on year. The important issue was continuous improvement and to reduce the number of complaints. She commented it would be helpful to have yearly comparisons on the volume and type of complaint which could then be broken down into unitary/parish/town council complaints. The Principal Governance Officer reported that he would provide this information as part of the annual review of code complaints. The Service Director also commented that the outcome was the

important part to focus on rather than the number of complaints as some of these could be vexatious or localised to a particular issue which was contentious.

Clarification was sought on the register of gifts and hospitality and whether not declaring them was a breach of the code of conduct. The Principal Governance Officer reported that the obligation was on Members to register gifts and hospitality £50 or over within a specified time period. If a Member failed to do this it would be questionable under the Code of Conduct and a complaint could be pursued. If the value was less than £50 and it could be perceived that the offer was made as an inducement, it would be good practice to register this as well. It was the offer of it that was important to register even if the gift or hospitality was declined. This was in relation to the councillor role rather than a personal one.

RESOLVED that the Member Code of Conduct Complaints opened and closed in Quarter 2 (July to September 2023, Annexes 1 and 2) and those currently open be noted.

6 Community Governance Review Update

The Service Director Legal and Democratic Services reported that the Community Governance Review Member Working Group was meeting following the meeting of the Standards and General Purposes Committee. He had given two briefings to the High Wycombe Community Board and the High Wycombe Town Committee, who were important stakeholders, outlining this Committee's decision made at the end of August 2023. A decision had been made not to take forward the original Review but commission a further Review. The Work Programme of the Working Group would look at options for the Community Governance Review, governance going forward, the timeline and plans for consultation.

The report was noted.

7 Work Programme

The Committee noted the Work Programme. The Service Director Legal and Democratic Services reported that he hoped a decision would be taken on the Community Governance Review at the meeting on 18 January 2024 so that the consultation process could proceed.

RESOLVED –

That the Work Programme submitted to the meeting be AGREED.

8 Date of Next Meeting

The next meeting of the Standards and General Purposes Committee would be held at 2pm on Thursday 18 January 2024.