
within 4 weeks of the submission. Accordingly, HRTC have been invited to comment on the strategy in time for this deadline.

Members agreed that the point made from the member of public was valid. Members requested that this point be forwarded onto Central Bedfordshire Council and concerns reiterated about unauthorised access to open spaces.

Resolved: Strategic comments

- 1. The council was concerned over the financial implications for new residents of a management company maintaining the open spaces and facilities within Linnere. In particular the following points were made:**
 - **Residents would receive an annual charge in addition to their council tax;**
 - **There would be financial implications for social housing providers and their tenants;**
 - **The OSMS did not definitively impose a restriction on the charge which may be applied. It relied on safeguards of accountability. The effectiveness of these safeguards would only be known once the system was operational;**
- 2. Should the principle of a management company be accepted by Central Bedfordshire Council (CBC), HRTC support the charitable status of the management company, The Lands Trust, being put forward;**
- 3. HRTC would welcome the formulation of a positive working relationship with The Lands Trust so that local services were integrated and mutually supportive. The OSMS should promote this relationship.**

Content of the OSMS

- 4. Consistency of provision - The OSMS sought to ensure a consistency of provision across the development area. This was supported. However, the OSMS made limited reference to ensuring consistency between Linnere and current existing provision in Houghton Regis. The OSMS should support a consistency of provision across the areas;**
- 5. Maintenance work - The OSMS referred to work being contracted out and suggested that the parish / town council would be able to tender or bid for work. This was supported.**

9982 REPORT ON FINDINGS OF THE EXTERNAL INVESTIGATION

Members received a report which advised of the findings of the external investigation, the purpose of which was to investigate the circumstances which led to the Council making an out-of-court settlement to What About Youth Limited.

Cllr Jones read a prepared statement which raised concerns that the report from the external investigator had revealed information that he had not been aware of at the time. Cllr Jones acknowledged mistakes had been made by council and staff, however, stated that a line should be drawn and the council should now move on.

Cllr Abbott read a prepared statement which referred to paragraphs: 15, 17, 18, 30 of the full report.

One member raised concerns that there were inaccuracies within the report, which had put in question the validity of the entire report.

Members discussed the officer recommendations, and an amendment was requested to recommendation 6.

The officer recommendation number 6 read:

To include a letter of counsel on the staff file signed by the Mayor and to require the staff member to complete suitable training.

An amendment to recommendation 6 was proposed to read:

- *That this council has confidence in the Town Clerk;*
- *include a letter of counsel on the staff file signed by the Mayor and to require the staff member to complete suitable training.*

Proposed by: Cllr Abbott Seconded by: Cllr Carroll

A recorded vote was requested:

Members for: Cllrs: Y Farrell, S Thorne, K Wattingham, R Morgan, D Abbott, J Carroll, M S Kennedy, D Jones, S Goodchild.

Members against: 0

Abstentions: Cllrs: T McMahon, A Slough, T Welch, D Dixon-Wilkinson.

Accordingly, the amendment was carried and became the substantive motion.

Members voted for the recommendations en bloc. A recorded vote was requested:

Proposed by: Cllr Dixon-Wilkinson Seconded by: Cllr Jones

Members for: Cllrs: M S Kennedy, T McMahon, S Goodchild, D Jones, A Slough, T Welch, D Dixon-Wilkinson, R Morgan, K Wattingham, S Thorne, Y Farrell.

Members against: Cllrs: J Carroll, D Abbott.

Abstentions: 0

- Resolved:**
- 1. For the council to consider the need for legal advice as part of any project development process and for legal advice to be sought from legal service providers as put forward by the Society of Local Council Clerks (SLCC)**
 - 2. To support the model contract checklist which includes clauses dealing with:**
 - **Impartiality of the Service Provider**
 - **Non-involvement in political matters**
 - **Accountability of service provision**
 - **The services to be provided under the contract**

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- **The performance indicators to be used to measure performance over a stated period of time**
3. **To note the investigators recommendation for a range of template contracts to be drawn up by an external solicitors' firm but not to proceed with this at this time. Should the need arise for a specific contract to be drawn up legal advice will be sought as part of the project development process.**
 4. **To seek to bank the £500 from the council's former legal advisors in relation professional negligence arising from inaccuracy of a piece of legal advice.**
 5. **For council to confirm that the public version of the report (with names and company names redacted) could be made available to any member of the public or member of the press who directly requested it with a watermark on it that it was intended for the sole use of the recipient and was not for wider circulation.**
 6. **That this council:**
 - **has confidence in the Town Clerk;**
 - **include a letter of counsel on the staff file signed by the Mayor and to require the staff member to complete suitable training.**
 7. **To conclude that:**
 - **the council had investigated and reported upon the events that lead to the Council making an out of court settlement to What About Youth Ltd;**
 - **had considered what steps could be taken to avoid a recurrence of this situation;**
 - **the council confirmed that all issues related to this matter were concluded and would not be presented to council for any further consideration.**

9983 CODE OF CONDUCT COMPLAINT OUTCOME

Members were formally advised that a Code of Conduct complaint had been made and had been duly investigated by the Monitoring Officer. The outcome had been advised to the council. It had been found that there had been no breach of the Code of Conduct.

Resolved: To note the report.

The Chairman declared the meeting closed at 7.31pm

Dated this day of 2019

Chairman

