

Warwickshire County Council

Report of Investigation under the Members Code of Conduct

Regarding:

Councillor Barry Lobbett

Carol Evans
Solicitor
Law and Governance
Warwickshire County Council



Councillor Barry Lobbett

Report of investigation under the Code of Conduct

November 2011

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1 Executive summary

- 1.1 This report details the results of an investigation under Section 59 of the Local Government Act 2000 by Carol Evans, solicitor, Warwickshire County Council appointed by the Monitoring Officer for Warwickshire County Council into an allegation concerning Councillor Barry Lobbett.
- 1.2 Following a request for disclosure of information in relation to members travel expense claims under the Freedom of Information Act, an article appeared in the Coventry Telegraph on 17th June 2011 indicating that Councillor Lobbett has inappropriately claimed sums for travel which he was not entitled to. On being made aware, the Leader of the Council referred the matter under the Member Code of Conduct for by consideration by the Assessment Sub-Committee who, following consideration, referred the matter to the Monitoring Officer for investigation.
- 1.3 The investigation has identified that Cllr Lobbett:
- Claimed from the County Council for expenses which related to activities of Bedworth and Nuneaton Borough Council,
 - Claimed for expenses which related to election duties which he was not entitled to claim,
 - Claimed for expenses for meetings which were not approved meetings under the Member Remuneration Scheme.
- 1.4 The allegations in the original complaint that Councillor Lobbett inappropriately claimed travel expenses are therefore substantiated.
- 1.5 It is for the Standards Committee to reach a conclusion as to whether Cllr. Lobbett is in breach of the Code of Conduct. The investigation has concluded that he has claimed for expenses which he was not entitled to claim in contravention of the Authority's reasonable expectations in its Member Remuneration Scheme.
- 1.6 The Investigation has also identified that there is some general confusion as to which associated activities members are entitled to claim travel expenses for.

2 Councillor's official details

- 2.1 Cllr Barry Lobbett was elected to office on 4th June 2009.

2.2 Cllr Lobbett currently serves on the following committees:

- Communities Overview and Scrutiny Committee
- County Council
- Nuneaton and Bedworth Area Committee

2.3 Since November 2009 Cllr Lobbett has also been the County Council's representative on the Doorway Charity.

2.4 Until May 2010 Cllr Lobbett was also elected as a member of Bedworth and Nuneaton Borough Council.

2.5 On taking office in June 2009 Cllr Lobbett gave a written undertaking to observe the Code of Conduct.

2.6 Cllr Lobbett has confirmed that he is aware of the Code of Conduct and has attended briefings.

3 The relevant legislation and protocols

3.1 The County Council has adopted a Code of Conduct in which the following paragraphs are included:

- Paragraph 1 (3) it is your responsibility to comply with the provisions of this Code.
- Paragraph 5 - You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
- Paragraph 6 – You:
 - (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of your authority -
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes).

4 The Complaint

4.1 The Assessment Sub-Committee met on 1 August 2011 to consider a referral from the leader of the Council that:

“ Councillor Lobbett had claimed car mileage and other expenses which were not in accordance with the Member Allowances Scheme during the period 2 February 2010 to 28 February 2011”

- 4.2 The Sub Committee considered the alleged breach and took account of the Council's published assessment criteria and the Standards Board guidance against which complaints would be judged. The Sub Committee concluded that the allegations were sufficiently serious to warrant referral of the matter to the Monitoring Officer for investigation.
- 4.3 The Assessment Sub-Committee also asked whether an offence had been committed under the Election Acts.

5 Investigation methodology

- 5.1 Oral evidence from Councillor Lobbett has been taken into account and the claim forms for the period 2 February 2010 to 28 February 2011 were reviewed with Councillor Lobbett. Subsequent further queries with regard to claims which were considered to be outside the Warwickshire County Council scheme were also discussed with Councillor Lobbett.
- 5.2.1 Discussions have also taken place with the Manager at Bedworth and Nuneaton Borough Council responsible for members expense claims concerning the operation of the scheme in the Borough and to determine whether any advice had been given in respect of claims.
- 5.2.2 Discussions have also taken place with the County Council Finance officers regarding arrangements for processing claims.

6 Members Remuneration Scheme (MRS)

- 6.1 The rules on which expenses members can claim are contained in the MRS. The scheme is periodically updated, where there has been a change in the wording of the scheme this has been set out below.

Basic Allowance

- 6.2 All members are entitled to claim a basic allowance:

Paragraph 2“As a matter of principal the basic allowance recognises that there is a voluntary element to the work undertaken by elected members and therefore does not set out to fully recompense all work done”

Mileage Claims

- 6.3 The 2009/2010 scheme states at paragraph 10 “ **Travelling Allowances** may be claimed by members for the duties listed in the Appendix in accordance with the provisions set out below. Claims should be made within two months of the event for which the allowance is claimed”.
- 6.4 This was updated from 1 April 2010 to read “**.Travelling Allowances** may be claimed by members for the duties listed in the appendix in accordance with the provisions set out below. Claims **must** be made within two months of the event for which the allowance is claimed”.

- 6.5 Due to the fact that there is only a minor variation in the relevant section the attached documents include only the latest version of the Member Remuneration Scheme.
- 6.6 Mileage throughout the period has been set at 40p per mile.

Duties for which travel expenses may be claimed

- 6.7 The duties for which travel expenses can be claimed is set out in the Appendix: these include briefly:
1. All Formal meetings arranged by the County Council for the conduct of County Council business for which the members attendance is required.
 2. All consultation meetings arranged by the County Council for which the members attendance is required or where the business directly affects the members electoral division.
 3. All meetings of bodies to which the member has been appointed as the County Council representative, by the Council, Cabinet, Regulatory Committee or Area Committee.

7 Findings

- 7.1 Councillor Lobbett made 4 claims during the period investigated:

- 1) 2/2/2010 – 31/3/2010 – for £356 - paid in May 2010
- 2) 1/4/2010 - 30/06/2010 – for £492.40 - paid in August 2010
- 3) 1/07/2010 - 31/12/2010 – for £494.80 - paid January 2011
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(January and February claim forms were submitted together)

No issue has been taken with regard to the first two claims being delayed outside the two month period as this was within the provisions of the scheme operating at that time.

No concerns have been identified with the amount of mileage claimed for these journeys.

7.2 Claims for journeys relating to 'Borough Activities' activities

7.2.1 Councillor Lobbett readily identified 35 journeys which related to his role with the Nuneaton and Bedworth Borough Council. These are set out in Table A, below. The journeys amounted to 316 miles with a claim of £126:40.

Table A – Borough Council Expenses

2010	Journey	Mileage	Comments
2 Feb	Borough OSC	9	Borough Expense
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APRIL			
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5 April	Green Belt meeting	14	Borough Expense
10 April	Photo April shoot	9	Borough Expense
12 April	OSC	9	Borough Expense
13 April	Audit	9	Borough Expense
19 April	Group meeting	9	Outside Borough Scheme
21 April	Full Council	9	Borough Expense
MAY			
19 May	Group meeting	9	Outside Borough Scheme
20 May	Collection of documents	9	Borough Expense
Total Miles		340	
Total Claim		£136:00	

7.2.2 These journeys could have been claimed from the Borough Council. However there one meeting related to the members Surgery, one in respect of an officer retirement and six journeys related to group meetings which would not have been approved under the Borough's Scheme. Councillor Lobbett is no longer able to reclaim these expenses from the Borough Council.

7.2.3 Councillor Lobbett initially believed that if he claimed expenses from the County Council, those relating to the Borough Council would be recharged. He is insistent that he was advised to claim in this way by a member of staff at the Borough. The Borough Council have however confirmed that they would not have given this advice. Meetings may however occasionally occur where a Borough Councillor is appointed as a representative to attend a meeting he may also attend as a County Councillor and a determination may need to be made as to which authority a claim is made.

7.3 Claims for car journeys in respect of 'Election Duties'

7.3.1 Councillor Lobbett readily identified 28 journeys which related to election duties distributing leaflets and canvassing on behalf of the local MP. These are set out in table B below.

Table B – Claims in respect of Election Duties

2010			
7 Feb	leafleting	8	Election Duties
18 Feb	Canvassing	6	Election Duties
25 Feb	Canvassing	9	Election Duties
28 Feb	Leafleting / Canvassing	12	Election Duties
MAR			
13 Mar	Residents meeting / Canvassing	19	Election Duties
14 Mar	leafleting	8	Election Duties
20 Mar	Leafleting	8	Election Duties
27 Mar	Leafleting	12	Election Duties
28 Mar	Leafleting	8	Election Duties
29 Mar	Election duty	9	Election Duties
30 Mar	Canvassing	8	Election Duties
31 Mar	Candidates meeting	9	Election Duties
APRIL			
6 April	Canvassing and MP's meeting	27	Election Duties
11 April	Canvassing	8	Election Duties
20 April	Election leaflets / various	62	Election Duties
22 April	Leaflet collection	8	Election Duties
24 April	Canvassing / leafleting	10	Election Duties
25 April	Canvassing / leafleting	10	Election Duties
26 April	leafleting	9	Election Duties
27 April	leafleting	9	Election Duties
28 April	Meeting with Parliamentary Candidate and Leafleting	10	Election Duties
MAY			
1 May	Leafleting	8	Election Duties
2 May	Leafleting	8	Election Duties
3 May	Leafleting	8	Election Duties
4 May	Leafleting	8	Election Duties
5 May	Leafleting	8	Election Duties
6 May	Election in day	41	Election Duties
21 May	Post Election Gathering	31	Election Duties
Total Miles		381	
Total claim		£152:40	

7.3.2 Councillor Lobbett acknowledged these journeys related to political expenses and should not have been claimed. It is believed that these were included as Councillor Lobbett simply included all 'Council' related expenses on his claim forms. These amounted to 381 miles and a claim for £152.40

7.4 Claims for car journeys in respect of other meetings outside the approved Allowance Scheme

7.4.1 A small number of journeys in respect of meetings which did not appear to be approved County Council duties were identified. These amounted to 9 journeys with a total mileage of 166 Miles and a claim of £66.40. These are set out in Table C below.

7.4.2 All but one of these journeys were for meetings related to the County Council's functions but were not approved meetings for the purposes of claiming under the scheme. Councillor Lobbett accepted advice that these were meetings where a claim would not have been permitted but did query why these would not be included as these related to County Council work. It appears that there is some general confusion in respect of this aspect of the Members Expenses Scheme.

Table C – Claims for meetings outside Members Expense Scheme

2010			
18 Feb	Meeting at A444	8	Not part of formal arranged consultation / surgery
1 Mar	Residents meeting - Bedworth	8	Not part of formal arranged consultation / surgery
30 March	Retirement – Mrs Oliver(?) Shire Hall	44	Outside permitted duties (claimed under April)
MAY			
27 May	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
18 June	School Children safety day - Gayden	61	Not a formal meeting arranged by the County Council
7 Sept	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
30 Sept	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
22 Dec	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
2011			
9/2	Capital Spend Transport Town Hall Bedworth	9	Not a formal meeting arranged by the County Council
Miles		166	
Total claim		£66.40	

7.5 Total amount over claimed

The total amount over claimed during the period of investigation amounts to 887 Miles at £354.40. It was agreed that this would be repaid in October 2011 by being set off against the current expense claim.

7.6 Changes to the County Councils procedures

During the period in which these claims were made Councillors were responsible for certifying their own claims and officers only carried out a numerical check before authorising payment. The procedure has since been amended to include certification of claims by group leaders.

7.7 The Freedom of Information Act request.

7.5.1 On 12 May 2011 a request was received under the Freedom of Information Act 2000 which stated "Please provide me with a copy of the travel expenses forms of elected members submitted for claims from the 2010/11 council year. To be explicit these are claims for the months of April 2010 to March 2011 inclusive. I am happy to exclude members forms who have claimed less than £1500 in order that work required is reduced."

7.5.2 Although Councillor Lobbett's claim for Journeys made during the 2010-2011 financial year was below the £1500 limit as the February – March 2010 Claim was submitted and paid during this period this was included within the response.

8 Summary of key evidence

8.1 The main issues arising from the investigation are that Cllr Lobbett:

- included on his expenses claim form from the County Council claims in relation to activities which related to his role as a member of Bedworth and Nuneaton Borough Council.
- claimed for expenses in relation to Election duties which are not permitted under the scheme.
- Claimed for journeys to meetings which were not approved meetings under the Members Remuneration Scheme.

9. Election Act

9.1 The Assessment Sub-Committee also asked that the investigation consider whether Councillor Lobbett has committed any Election Act offences in relation to his claim. The Political Parties Elections and Referendums Act 2000 contains provisions in relation to the proper filing of parties accounts and creates and

offence for the party Treasurer in relation to failure to comply with the accounting provisions without reasonable excuse. The Act also contains provisions in relation to recording donations and services of third parties.

9.2 It is understood that Councillor Lobbett was carrying out election duties as a member of the Local Conservative party, canvassing and leafleting would be within the anticipated role of party members and would not be treated as services of a third party. Although Mileage was incorrectly claimed from the County Council and is to be repaid, no evidence of an offence under the Election Acts has been identified

10. Conclusion

10.1 The Standards Committee must reach a conclusion as to whether Cllr. Lobbett is in breach of the Code of Conduct. The following paragraphs are intended to assist members in reaching their decision.

10.2 Taking each of the relevant sections of the code of conduct in turn:

- 1 **You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute (Para 5).**

Breach of this paragraph would be an inevitable consequence of a decision by the Standards Committee that paragraph 6 (a) and 6(b)(ii) of the Code of Conduct has been breached.

- 2 **You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage (Para 6 (a)).**

A claim for journeys which the member is not entitled would provide the member with an advantage.

Except for the meetings identified, the majority of claims submitted which related to Nuneaton Borough Council activities would properly have been claimed from the Borough. The Borough has indicated that claim forms are vetted and incorrect claims rejected.

Claims in respect of County Council activities which were outside the list of approved duties indicate that there is some genuine confusion as to which activities are covered by the scheme.

- 3 **You must, when using or authorising the use by others of the resources of your authority ensure that such resources are not used improperly for political purposes (including party political purposes) (Para 6 (b) (ii)).**

The claims for Journeys made in respect of 'election duties' are for political and party political purposes.

- 10.3 The principle running through the Member Remuneration Schemes has is need for all elected Members to follow the Scheme requirements and to provide clear and detailed justification at all times to support their claims, in order to avoid the potential for bringing the Authority into disrepute.

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Warwickshire County Council

November 2011

Schedule of evidence taken into account

Core documents

Doc No	Description	Pages
1	Members Code of Conduct	12 - 20
2	Member Remuneration Scheme	21 - 25
3	Members Claim Forms	26 - 38
4	Extract Coventry Telegraph	39
5	Assessment Sub – Committee referral for investigation	40 - 41
6	Extract Bedworth and Nuneaton Member Remuneration Scheme	42 - 43

Notes of telephone conversations, letters, and interviews with witnesses

Doc No	Description	Pages
7	Interview with Councillor Lobbett	44 - 46
8	Follow up telephone interview with Councillor Lobbett	47
9	Telephone interviews with Pam Matthews, Nuneaton Borough Council	48
10	Telephone interview with J Heer, Payroll Services Manager	49

Comments on draft report

Doc No	Description	Pages
11	Comments from Councillor Lobbett	50
12	Comments from Councillor Farnell, Leader Warwickshire County Council	51

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7.2.3 Councillor Lobbett initially believed that if he claimed expenses from the County Council, those relating to the Borough Council would be recharged. He is insistent that he was advised to claim in this way by a member of staff at the Borough. The Borough Council have however confirmed that they would not have given this advice. Meetings may however occasionally occur where

a Borough Councillor is appointed as a representative to attend a meeting he may also attend as a County Councillor and a determination may need to be made as to which authority a claim is made.

7.3 Claims for car journeys in respect of 'Election Duties'

7.3.1 Councillor Lobbett readily identified 28 journeys which related to election duties distributing leaflets and canvassing on behalf of the local MP. These are set out in table B below.

Table B – Claims in respect of Election Duties

2010			
7 Feb	leafleting	8	Election Duties
18 Feb	Canvassing	6	Election Duties
25 Feb	Canvassing	9	Election Duties
28 Feb	Leafleting / Canvassing	12	Election Duties
MAR			
13 Mar	Residents meeting / Canvassing	19	Election Duties
14 Mar	leafleting	8	Election Duties
20 Mar	Leafleting	8	Election Duties
27 Mar	Leafleting	12	Election Duties
28 Mar	Leafleting	8	Election Duties
29 Mar	Election duty	9	Election Duties
30 Mar	Canvassing	8	Election Duties
31 Mar	Candidates meeting	9	Election Duties
APRIL			
6 April	Canvassing and MP's meeting	27	Election Duties
11 April	Canvassing	8	Election Duties
20 April	Election leaflets / various	62	Election Duties
22 April	Leaflet collection	8	Election Duties
24 April	Canvassing / leafleting	10	Election Duties
25 April	Canvassing / leafleting	10	Election Duties
26 April	leafleting	9	Election Duties
27 April	leafleting	9	Election Duties
28 April	Meeting with Parliamentary Candidate and Leafleting	10	Election Duties
MAY			
1 May	Leafleting	8	Election Duties
2 May	Leafleting	8	Election Duties
3 May	Leafleting	8	Election Duties
4 May	Leafleting	8	Election Duties
5 May	Leafleting	8	Election Duties
6 May	Election in day	41	Election Duties
21 May	Post Election Gathering	31	Election Duties
Total Miles		381	
Total claim		£152:40	

7.3.2 Councillor Lobbett acknowledged these journeys related to political expenses and should not have been claimed. It is believed that these were included as Councillor Lobbett simply included all 'Council' related expenses on his claim forms. These amounted to 381 miles and a claim for £152.40

7.4 Claims for car journeys in respect of other meetings outside the approved Allowance Scheme

7.4.1 A small number of journeys in respect of meetings which did not appear to be approved County Council duties were identified. These amounted to 9 journeys with a total mileage of 166 Miles and a claim of £66.40. These are set out in Table C below.

7.4.2 All but one of these journeys were for meetings related to the County Council's functions but were not approved meetings for the purposes of claiming under the scheme. Councillor Lobbett accepted advice that these were meetings where a claim would not have been permitted but did query why these would not be included as these related to County Council work. It appears that there is some general confusion in respect of this aspect of the Members Expenses Scheme.

Table C – Claims for meetings outside Members Expense Scheme

2010			
18 Feb	Meeting at A444	8	Not part of formal arranged consultation / surgery
1 Mar	Residents meeting - Bedworth	8	Not part of formal arranged consultation / surgery
30 March	Retirement – Mrs Oliver(?) Shire Hall	44	Outside permitted duties (claimed under April)
MAY			
27 May	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
18 June	School Children safety day - Gayden	61	Not a formal meeting arranged by the County Council
7 Sept	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
30 Sept	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
22 Dec	Neighbourhood Watch - Nuneaton	9	Not a formal meeting arranged by the County Council
2011			
9/2	Capital Spend Transport Town Hall Bedworth	9	Not a formal meeting arranged by the County Council
Miles		166	
Total claim		£66.40	

7.5 Total amount over claimed

The total amount over claimed during the period of investigation amounts to 887 Miles at £354.40. It was agreed that this would be repaid in October 2011 by being set off against the current expense claim.

7.6 Changes to the County Councils procedures

During the period in which these claims were made Councillors were responsible for certifying their own claims and officers only carried out a numerical check before authorising payment. The procedure has since been amended to include certification of claims by group leaders.

7.7 The Freedom of Information Act request.

7.5.1 On 12 May 2011 a request was received under the Freedom of Information Act 2000 which stated "Please provide me with a copy of the travel expenses forms of elected members submitted for claims from the 2010/11 council year. To be explicit these are claims for the months of April 2010 to March 2011 inclusive. I am happy to exclude members forms who have claimed less than £1500 in order that work required is reduced."

7.5.2 Although Councillor Lobbett's claim for Journeys made during the 2010-2011 financial year was below the £1500 limit as the February – March 2010 Claim was submitted and paid during this period this was included within the response.

8 Summary of key evidence

8.1 The main issues arising from the investigation are that Cllr Lobbett:

- included on his expenses claim form from the County Council claims in relation to activities which related to his role as a member of Bedworth and Nuneaton Borough Council.
- claimed for expenses in relation to Election duties which are not permitted under the scheme.
- Claimed for journeys to meetings which were not approved meetings under the Members Remuneration Scheme.

9. Election Act

9.1 The Assessment Sub-Committee also asked that the investigation consider whether Councillor Lobbett has committed any Election Act offences in relation to his claim. The Political Parties Elections and Referendums Act 2000 contains provisions in relation to the proper filing of parties accounts and creates an offence for the party Treasurer in relation to failure to comply with the accounting

provisions without reasonable excuse. The Act also contains provisions in relation to recording donations and services of third parties.

9.2 It is understood that Councillor Lobbett was carrying out election duties as a member of the Local Conservative party, canvassing and leafleting would be within the anticipated role of party members and would not be treated as services of a third party. Although Mileage was incorrectly claimed from the County Council and is to be repaid, no evidence of an offence under the Election Acts has been identified

10. Conclusion

10.1 The Standards Committee must reach a conclusion as to whether Cllr. Lobbett is in breach of the Code of Conduct. The following paragraphs are intended to assist members in reaching their decision.

10.2 Taking each of the relevant sections of the code of conduct in turn:

- 1 **You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute (Para 5).**

Breach of this paragraph would be an inevitable consequence of a decision by the Standards Committee that paragraph 6 (a) and 6(b)(ii) of the Code of Conduct has been breached.

- 2 **You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage (Para 6 (a)).**

A claim for journeys which the member is not entitled would provide the member with an advantage.

Except for the meetings identified, the majority of claims submitted which related to Nuneaton Borough Council activities would properly have been claimed from the Borough. The Borough has indicated that claim forms are vetted and incorrect claims rejected.

Claims in respect of County Council activities which were outside the list of approved duties indicate that there is some genuine confusion as to which activities are covered by the scheme.

- 3 **You must, when using or authorising the use by others of the resources of your authority ensure that such resources are not used improperly for political purposes (including party political purposes) (Para 6 (b) (ii)).**

The claims for Journeys made in respect of 'election duties' are for political and party political purposes.

10.3 The principle running through the Member Remuneration Schemes has is need for all elected Members to follow the Scheme requirements and to provide clear and detailed justification at all times to support their claims, in order to avoid the potential for bringing the Authority into disrepute.

Carol Evans
Solicitor
Law and Governance
Warwickshire County Council

November 2011

Schedule of evidence taken into account

Core documents

Doc No	Description	Pages
1	Members Code of Conduct	12 - 20
2	Member Remuneration Scheme	21 - 25
3	Members Claim Forms	26 - 38
4	Extract Coventry Telegraph	39
5	Assessment Sub – Committee referral for investigation	40 - 41
6	Extract Bedworth and Nuneaton Member Remuneration Scheme	42 - 43

Notes of telephone conversations, letters, and interviews with witnesses

Doc No	Description	Pages
7	Interview with Councillor Lobbett	44 - 46
8	Follow up telephone interview with Councillor Lobbett	47
9	Telephone interviews with Pam Matthews, Nuneaton Borough Council	48
10	Telephone interview with J Heer, Payroll Services Manager	49

Comments on draft report

Doc No	Description	Pages
11	Comments from Councillor Lobbett	50
12	Comments from Councillor Farnell, Leader Warwickshire County Council	51

MEMBERS CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

1. —(1) This Code applies to you as a member of an authority.

(2) You should read this Code together with the general principles prescribed by the Secretary of State

(3) It is your responsibility to comply with the provisions of this Code.

(4) In this Code "meeting" means any meeting of—

(a) the authority;

(b) the executive of the authority;

(c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member.

(5) In relation to a parish council, references to an authority's monitoring officer and an authority's standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

2. —(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

(2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.

(3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.

(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

(5) Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3. —(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

4. You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

8. —(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—

(i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or

(iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a

class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9. —(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

Prejudicial interest generally

10. —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12. —(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

Registration of members' interests

13. —(1) Subject to paragraph 14, you must, within 28 days of—

(a) this Code being adopted by or applied to your authority; or

(b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14. —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Warwickshire County Council

Member Remuneration Scheme *(Effective from 1 April 2010 (unless otherwise stated) as updated 2 November 2010)*

Any enquiries about the operation of this scheme should be addressed to
The Strategic Director of Resources, PO Box 3, Shire Hall,
Warwick CV34 4RH

Any enquiries about the duties of councillors should be addressed to
The Chief Executive, PO Box 9, Shire Hall, Warwick CV34 4RR

Warwickshire County Council Member Remuneration Scheme

1. This scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended.
2. Each elected member of the County Council is entitled to receive a **basic allowance** of **£8,975** per annum (rate takes effect from 8 June 2009). As a matter of principle the basic allowance recognises that there is a voluntary element to the work undertaken by elected members and therefore does not set out to fully recompense all work undertaken.

**[The basic allowance is paid on the following basis:-*

- 12 instalments based on one twelfth of 85% of the allowance
- 1 instalment equal to 15% of the allowance payable when the member has completed the mandatory training elements identified each year in the Member Development Programme.]

* Words in brackets only take effect from 1 April 2010

3. To encourage elected members to use IT to access information on-line and reduce the costs of printing and postage associated with paper copies the Council pays for the installation of phone lines (including rental charges), computers, fax machines, printers and ink cartridges. Elected members are also provided with a starter pack of headed paper, compliments slips and business cards. Most committee reports and other information is accessible in electronic formats and the agreed convention is that only the members of the bodies concerned and the group leaders are sent paper copies, other members should access such information on-line and print off a copy of any information of particular interest. The basic allowance is a contribution to the time spent by elected members in performing their duties and to cover any other incidental costs e.g. telephone calls, paper, envelopes, room hire for surgeries etc.
4. Elected members who hold one of the appointments listed in the following table are entitled to receive a **special responsibility allowance** at the rate shown per annum. Members holding more than one post attracting a special responsibility allowance may only claim one special responsibility allowance. (The Strategic Director of Resources will apply the higher special responsibility allowance, unless advised otherwise.)
5. On appointment elected members are required to confirm in writing to the Strategic Director of Resources whether they wish to receive the basic allowance and any special responsibility allowance. A member (including a co-opted member) may elect at any time by notice in writing to the Strategic Director of Resources to forgo any part of their entitlement to an allowance under the scheme.
6. Entitlements to basic, special responsibility and co-optees allowances will be calculated pro-rata taking into account the day on which a member takes office and/or is appointed to a post attracting a special responsibility or co-

optees allowance and the day such office or appointment ends. Such allowances are normally paid monthly in arrears.

7. The basic, special responsibility and co-optees allowances will be increased by the average % pay increase for APT&C staff.

8 Special Responsibility Allowances -

SRA's payable from 18 May 2010 or date of appointment to office whichever is the later

	£
Leader of Council	22,476
Deputy Leader of Council	13,486
Lead Cabinet Member	10,772
Support Cabinet Member	7,777
Chair of County Council	5,386
Vice Chair of County Council	2,693
Overview and Scrutiny Board Chair	7,777
Overview and Scrutiny Committee Chair	5,386
Overview and Scrutiny Vice-Chair	2,000
Area Chair	3,591
Regulatory Committee Chair	5386
Regulatory Committee Vice-chair	2693
Opposition Leaders	7,777
Opposition Deputy Leaders	4,667

Conservative Spokespersons (x 7) to be determined by the Leader at the rate of £2,000 per annum each.

Opposition Spokespersons – the Liberal Democrat Group and Labour Group have an allocation of £1,000 x number in their group to be distributed as the groups wish.

Note: An opposition party is defined as a party not represented on the Cabinet

9. Co-optees allowance

A Co-optee is a non-elected member of the Council who is a member of a committee or sub-committee of the Council. The allowance must be claimed by 30 April following the end of the financial year in which the entitlement to

the allowance relates. The following allowances are payable to co-optees for the financial year 2009/10 (subject to increase in line with the average percentage increase for APT&C staff).

Chair of Audit and Standards Committee	£4,185
Other co-optees who are not paid by or in receipt of allowances from their nominating body	£1,153

10. **Travelling allowances** may be claimed by members for the duties listed in the Appendix in accordance with the provisions set out below. Claims **must** be made within two months from the date of the event for which the allowance is claimed.

Public Transport

(i) Reimbursement for travel by public transport will not exceed the amount of the standard fare. In the case of rail travel, this will include the cost of a seat reservation.

(ii) Members may also claim for the cost of disability railcards or senior railcards where these are used to the Council's advantage to reduce fares incurred on Council business.

(iii) For the avoidance of doubt, the cost of first class rail travel will not be reimbursed.

(iv) Receipts for all travel must be provided.

(vi) Members who do not use a senior rail card should purchase rail tickets through Democratic Services as it is often possible to obtain a more favourable rate and avoids members having to claim and await reimbursement.

(vii) Members should, wherever feasible, take advantage of the countywide travel pass scheme for residents over 60 which allows free travel on local bus services within the county.

Taxi cab

Taxi cab fares (including a reasonable gratuity) may be reimbursed in cases of urgency or when no public service is reasonably available. Receipts must be provided.

Air or sea

Air or sea fare may be reimbursed if the rate compares reasonably with the cost of alternative means of travel and/or having regard to the likely savings in time. In respect of travel by air or sea, this must be agreed in advance with the Democratic Services Manager. Receipts must be provided.

Insurance

It is essential that a member's own motor vehicle insurance policy covers them when using their own vehicle on County Council approved duties.

Member's Private Vehicle

The rates for travel by motor vehicle (excluding motor cycle) are 40p per mile. Claims should be based on travel from the member's home address or from the actual starting point, whichever is the shorter. The Monitoring Officer will agree a standard mileage from the member's home to Shire Hall for each member. If a passenger is carried on any journey, an additional 10p per mile may be paid in respect of each passenger, provided it is economical to so do. The name of any passenger(s) must be entered on the claim form for that journey.

VAT Receipts

Claims for petrol purchases should be accompanied by a VAT receipt issued in the month of the claim.

Motor Cycle or Bicycle

The rate for motor cycle or bicycle is 20p per mile.

Hired vehicle

The rate for travel by a hired motor vehicle other than a taxi cab shall not exceed the rate which would have been applicable had the vehicle belonged to the member who hired it.

11. **Subsistence allowances** may be claimed by members for the duties listed in the appendix subject to the following provisions:

The Council will reimburse actual costs up to the maximum subsistence rates agreed for officers. Receipts must be provided with all claims and the claim for subsistence must be made within two months from the date of the event for which the allowance is claimed.

Subsistence will not be paid when lunch or tea is provided – for example on days of full Council.

Subsistence will not be paid for alcoholic beverages.

The rate of subsistence shall not exceed figures shown below without the prior agreement of the Chief Financial Officer.

(1) In the case of an absence, not involving an absence overnight, from the usual place of residence

(a) of more than 4 hours including the period between 12 noon and 2 pm (lunch allowance), £6.50

(b) of more than 4 hours ending after 7 pm (evening meal allowance), £8.00

(2) In the case of an absence overnight from the usual place of residence £77 and for such an absence overnight in London, or for the purposes of attendance at an annual conference (including or not including an annual meeting) of the Local Government Association or such other bodies as the

Council may for the time being approve for the purpose, £88. These rates shall be deemed to cover a continuous period of absence of 24 hours.

(3) Where members require overnight accommodation they are **advised to consult Democratic Services** to avoid disputes over costs at a later date.

12. A **dependant carer's allowance** may be claimed by members who incur expenditure on the care of children or other dependants for the duties listed in the Appendix in accordance with the following provisions.

The event requires the member to provide care for a person who normally lives with the member as part of the member's family

A carer is any responsible mature person who does not normally live with the member as part of the member's household.

Receipts must be provided with all claims for the allowance and the claim must be made within 2 months from the date of the event for which the allowance is claimed.

The sum claimed is the lower of the actual paid or the applicable maximum hourly rate below, updated as appropriate following the annual review of rates undertaken by the Strategic Director of Children, Young People and Families and Strategic Director of Adult and Community Services.

Dependant	Rate per hour
A child below school age or a child under 14 years of age outside school hours	£5.50
An elderly, sick or disabled dependant requiring constant care	£18

13. **Suspension of Allowances**

- (a) Where a member or co-opted member is suspended as a member of the Council under Part III Local Government Act 2000 the member or co-opted member shall not receive any allowance under the Scheme for the period of the suspension
- (b) Where a member or co-opted member is partially suspended as a member of the Council under Part III Local Government Act 2000 the member or co-opted member shall not receive for the period of the suspension
- (i) any special responsibility allowance to which the suspension relates
 - (ii) any co-optees allowance to which the suspension relates
 - (iii) any travel, subsistence, or dependant carers allowances in respect of any duties to which the suspension relates

14 **Members Pensions**

Any elected member who is otherwise eligible to do so under the terms of the legislation may opt to join the Local Government Pension Scheme.

Both basic and special responsibility allowances shall count towards the calculation of a 'councillor's pay' in any year for the purposes of the Local Government Pension Scheme.

Appendix**Members Remuneration Scheme****Duties of Councillors for which travel expenses may be claimed**

1. All formal meetings arranged by the County Council for the conduct of County Council business for which the member's attendance is required.
2. All consultation meetings arranged by the County Council for which the member's attendance is required or where the business directly affects the member's electoral division.
3. All meetings of bodies to which the member has been appointed as the County Council's representative by the Council, Cabinet, Regulatory Committee or Area Committee, including meetings of companies in which the County Council has an interest as the nominated director. (Note this does not include acting as a representative of the Council on a school governing body.)
4. Participation in delegations or attendance at conferences approved by Committees.
5. Seminars and training sessions arranged by the County Council which are open to all members or open to all members of a particular Committee and any individual training or development sessions approved by the Member Services Manager.
6. Pre-agenda briefing meetings with officers, taking place before Committees etc. and to which all parties are invited.
7. Consultation and briefing meetings with officers by members of the Cabinet or others with special responsibility holding appointed or elected positions.
8. Group Meetings
9. Surgeries
10. Meetings of a Parish or Town Council in the member's own Division.
11. The carrying out of any other duty approved by the authority or any duty of a class so approved, for the purpose of, or in connection with the discharge of the functions of the authority, its committees or sub-committees.

Hand May 2010

P192

TRANS-SHIRE COUNTY COUNCIL

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE, UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

CT.(M)
6000

FOR THE MONTH ENDING FEB / M MARCH YEAR 2010
 Name: W. L. H. LOBERTS
 Address: 100 COLLEGE RD BEDFORD CV12 8NW

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M-Car P-Rail O-Bus C-Taxi	Return Car Mileage	Other Payments Claimed			Subsistence Allowance Claimed (see notes)
			Place	Time	Place	Time			E	P	P	
2	Borough OSC	Town Hall	Bedworth	1700				9				
3	Planning Mtg	Town Hall	"	"				9				
5	Concurrence Group Mtg	Blues Hall	"	1500				44				
7	Resident Mtg	Bedworth	"	1100				8				
9	Full Council	Blues Hall	"	0830				44				
11	Durgery	Bedworth	"	0830				8				
12	Comm and OSC	Blues Hall	"	0900				44				
16	Environment OSC	Town Hall	"	1700				9				
17	Planning, Designation	STRATFORD	"	1200				54				
17	Resident Mtg	Town Hall	"	1800				9				
18	Meeting at A444 OSW	Bedworth	"	1100				6			2 FEB 2010	
18	Boarding	Bedworth	"	1900				10			63310	890
22	Group Meeting Borough	Town Hall	"	1800				9				
24	Board Mtg Borough	Town Hall	"	1800				9				
25	Comms Mtg	Bedworth	"	1500				9				
28	Resident Mtg	Bedworth	"	1100				12				
MAR	Resident Mtg	Town Hall	"	1700				9				
1	Resident Mtg	Bedworth	"	1930				8				
2	Planning Mtg	Town Hall	"	1600				9				
3	Planning Site Visit	ANSLEY CUSTON	"	1000				24				

Transfer to summary on next

243

Prop 3

WILTSHIRE COUNTY COUNCIL

CT.(M)
800

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE,
UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

FOR THE MONTH ENDING YEAR 2010

Name W B K - LOANEY

Address

Vehicle Registration Number

Make and Cubic Capacity of Vehicle

Day of Month in P.M.	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M-Car R-Rail O-Bus C-Taxi	Return Car Mileage	Other Payments Claimed			Subsistence Allowance Claimed (per Hour)		
			Place	Time	Place	Time			E	P	E	P	E	P
3	Redbridge Mtg	Shin Hall	Redbridge	10:00				44						
3	Scrutiny Duties	Town Hall	"	10:30				9						
3	Conservation Group Mtg	Town Hall	"	19:00				9						
4	OSC MK	White Hall	"	09:30				44						
4	Scrutiny Duties	Redbridge	"	18:30				9						
5	Redbridge Mtg	Redbridge	"	19:00				7						
7	Redbridge Mtg	Redbridge	"	10:00				10						
8	Redbridge N. West Mtg	Kenard	"	18:30				10						
10	Scrutiny Duties	Redbridge	"	09:30				8						
10	Redbridge Scrutiny Committee and	Redbridge	"					3						
10	Redbridge Scrutiny Committee and	Redbridge	"					3						
11	Joint Audit (Kendal) Mtg	Nunston	"	17:30				9						
13	Redbridge Mtg / Scrutiny	Redbridge/Kendal	"					19						
14	Scrutiny	Redbridge	"	11:00				8						
15	Conservation Scrutiny	Nunston	"	17:00				9						
16	OT's Board	White Hall	"	10:00				44						
17	Borough Cabinet	Town Hall	"	18:00				9						
18	Scrutiny Training	"	"	13:30				9						
20	Scrutiny	Redbridge	"	10:00				8						
22	Elect in Bishop	Town Hall	"	10:00				9						

Totals to summary overleaf

286

27

27

WILTSHIRE COUNTY COUNCIL

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE, UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

CT.(M) 800

P373

FOR THE MONTH ENDING MARCH YEAR 2011

Name _____ Address _____

Vehicle Registration Number _____ Make and Cubic Capacity of Vehicle _____

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M-Car R-Rail O-Bus C-Taxi	Return Car Mileage	Other Payments Claimed		Dittails	Subsistence Allowance Claimed (see note)	
			Place	Time	Place	Time			E	P		E	P
22/3	Youngs Mtg	Town Hall	Redwell		19:00			9					
23/3	Office Refinement	Town Hall	"		13:00			9					
"	Worship AGM	Redwell	"		19:00			34					
25/3	OSC Sub-Committee	Blaine Hall	"		14:00			44					
26/3	Finance Committee	Town Hall	"		19:00			9					
26/3	OSC + Group	Blaine Hall	"		10:00			44					
27/3	Healthcare	Bedworth	"		10:00			12					
28/3	Healthcare	"	"		10:00			8					
29/3	Electric Spares	"	"		09:00			8					
29/3	Youngs Mtg	Town Hall	"		19:00			9					
29/3	Community Council Mtg	Blaine Hall	"		10:00			44					
30/3	Planning Visit	Bedworth	"		12:00			8					
31/3	Planning Mtg	Blaine Hall	"		15:00			5					
31/3	Community Council Mtg	Town Hall	"		17:00			9					
31/3	Community Council Mtg	Blaine Hall	"		19:30			9					
TOTAL											890mils		
=											£356.00		

28

28

Please ensure your claim is sent to the County Treasurer's Department by the 10th of the month following the month for which the claim is made. Transfer to summary overhead (A) 2601 (B)

WARWICKSHIRE COUNTY COUNCIL

1983

1000
Paid August 2000
Barry Cabinet 4000

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE,
UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

MARCH
FOR THE MONTH ENDING APRIL 1983 YEAR 2010

Name: B. H. [unclear]

Address: No. 50 [unclear] Bedworth

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M: Car B: Bus C: Taxi	Return Car Mileage	Other Payments Claimed	Details	Subsistence Allowance Claimed (see Note)	
			Place	Time	Place	Time						
1/4	Planning Committee	Town Hall	Bedworth	5.30	Bedworth		9	C				
2/4	Question Referring	bed worth					8	P				
3/4	"	"					8					
4/4	"	"					8					
5/4	Open Meeting & Reports	Bedworth Town Hall					14					
6/4	Committee and MPs Meeting	Bedworth Town Hall					27					
8/4	IT Training Session	Bedworth					44					
8/4	Meeting	Town Hall					6					
10/4	Photo Club - visit in	Bedworth					9			E3310	1231	
11/4	Co-ordinating	Bedworth					8					
12/4	WSC	Town Hall					9					
13/4	Reading	Town Hall					9					
15/4	IT Training	Bedworth					9					
17/4	Mr. Dimes	Bedworth					44					
19/4	Car go with	Town Hall					44					
20/4	Bedworth Club - Report Bedworth	Town Hall					9					
21/4	Full Committee	Town Hall					62					
22/4	Bedworth Club in	Bedworth					9					
24/4	Committee / Reports	"					8					
25/4	"	"					10					
26/4	IT Training + MP with car	Bedworth					10					
30/4	Retirement no claim	Bedworth					44					
			(transfer to summary sheet)									
							44	4403		4403 + 6300 + 358		

29

29

293

WATWICKSHIRE COUNTY COUNCIL

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE,
UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

FOR THE MONTH ENDING _____ YEAR _____

Name

Address

Vehicle Registration Number

Make and Cubic Capacity of Vehicle

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M-Car R-Rail D-Bus C-Taxi	Return Car Mileage	Other Payments Claimed		Subsistence Allowance Claimed (see Note)	
			Place	Time	Place	Time			£	p	£	p
26/4	Prophecy	Beckwith	Beckwith				443					
27/4	"	Beckwith					9					
28/4	I.T. Trip	Beckwith					44					
29/4	MTG with Parliament Candidates	Kewstons					10					
1 May	Prophecy	Beckwith					8					
1st	"	"					8					
2nd	"	"					8					
3rd	"	"					8					
4th	"	"					8					
5th	"	"					8					
6th	Feet in Day	"					41					
14th	MTG	Beckwith					44					
16th	Green Book Meeting	Kewstons					8					
18th	MTG	Beckwith					44					
19th	Group Mtg	Town Hall					9					
20th	Robtina J. Edwards	Beckwith					44					
20th	"	Town Hall					9					
21st	First Cabinet Meeting	Beckwith					31					
26th	Petition Reading	Beckwith					44					
27th	Pre cabinet discussion	Beckwith					44					

Transfer to summary overleaf

(a) 436 (b) 4.50 (c) 30

For the month ending ... 1974

30

WARWICKSHIRE COUNTY COUNCIL

383

CT. (6/00

CLAIM FOR ATTENDANCE ALLOWANCE, AID TRAVELLING AND SUBSISTENCE ALLOWANCE, UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

FOR THE MONTH ENDING _____ YEAR _____

Name Address

Vehicle Registration Number

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mileage of Travelling Car (H-High U-Give C-Taxi)	Railway Car Mileage	Other Payments Claimed		Subsistence Allowance Claimed (See Note)
			Place	Time	Place	Time			E	P	
27/5	Warwickshire Council	Nuneaton						9			
30/5											
6/6	Dunstable Council	Dunstable						8			
8/6	Energy Forum Thursday	Bliss Hall						52			
10/6	I.C.	Bliss Hall						44			
14/6	IT Multy + Civic Meeting	"						53			
17/6	Procurement only	"						44			
18/6	School Director Supply Day	Bliss Hall						61			
24/6	Bliss Hall	Bliss Hall						44			
25/6	Bliss Hall	Bliss Hall						44			
								Transfer to summary overhead	358		

(a) (b) (c)

31

P1983

WARWICKSHIRE COUNTY COUNCIL

CLAIM FOR ATTENDANCE ALLOWANCE, AID TRAVELLING AND SUBSISTENCE ALLOWANCE,
UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

Paid Jan 11 6/00
CT.1

FOR THE MONTH ENDING Su 30/01/02 YEAR 2000

Name W B H - LOBBETT Address 160 COWENIM. RD BEECHLEY

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M-Car H-Prod O-Dis C-Taxi	Retrip Car Mileage	Other Payments Claimed	Details	Subsistence Allowance Claimed (see Note)
			Place	Time	Place	Time					
19/7	OSC	Blive Hall	Home		Home			44			
20/7	COUNTY	"	"		"			44		2310	1237/50
21/7	AREA COMMITTEE	"	"		"			44		1931-1600	
24/7	Repair Skills	"	"		"			44			
27/7	IT Tng	"	"		"			44			
4/9	N Water	Number	"		"			9			
9/9	OSC	Blive Hall	"		"			44			
10/9	CON GP MTG	"	"		"			44			
14/9	COUNTY MTG	"	"		"			44			
20/9	Geny Semina	"	"		"			44			
30/9	N. Water	Number	"		"			9			
8/10	CON GP MTG	Blive Hall	"		"			44			
12/10	MTG ROAD SAFETY (MEWINGS)	"	"		"			44			
19/10	MTG Road Care	"	"		"			44			
20/10	OSC NUMBER 5	Number	"		"			9			
21/10	CON GP MTG	Blive Hall	"		"			44			
22/10	FIRE STA L'FOR SPA MTG	L'FOR SPA	"		"			33			
29/10	CON GP MTG	Blive Hall	"		"			44			
								676			

RECEIVED
18 JAN 2001
PAYROLL SERVICES

32

32

Transfer in summary available (b) (c)

8223

WATWICKSHIRE COUNTY COUNCIL

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE,
UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

CT. (6/00

Paid Jan 11

FOR THE MONTH ENDING Nov DEC YEAR 2010

Name W B H LOBBETT

Address

Vehicle Registration Number

Make and Cubic Capacity of Vehicle

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel 1-Car 2-Frail 3-Bus 4-Taxi	Return Car Mileage	Other Payments Claimed	Details	Subsistence Allowance Claimed (see Note)	
			Place	Time	Place	Time					E	P
2/11	County	Blue Hall	Home		Home			44				
3/11	COMM USE	"	"		"			44				
10/11	COMM HEALTH	"	"		"			44				
18/11	CABINET	"	"		"			44				
20/11	CON PTY MTG	GRIMSTOCK	"		"			32				
23/11	IT MTG (COMPUTER)	Blue Hall	"		"			44				
24/11	IT TRG	"	"		"			44				
25/11	COMM LEADERSHIP	"	"		"			44				
29/11	OSC MTG RUGBY	Town Hall Rugby	"		"			36				
2/12	HWS N WATCH	NONINGTON	"		"			9				
10/12	MTG MARKERS EPS 10.00	Blue Hall	"		"			44				
10/12	CON 40 MTG 1.45	"	"		"			44				
14/12	COUNTY MTG	"	"		"			44				
16/12	CABINET	"	"		"			44				
								561				
								676				
								1237				

RECEIVED
PAYROLL SERVICES

33

33

Transfer to summary sheet

(a) (b)

Form to be completed for the 10th of the month following the month end

34

P393

AMOUNT CLAIMED FOR MONTH OF Sept -> Dec YEAR 2010

Car Mileage (Box (a) over 1237 miles @ 40 p (rate per mile) = 494.80

Other Payments (Box (b) over) =

Subsistence (Box (c) over) =

AMOUNT CLAIMED £ 494.80

Special Responsibility Allowance (S.R.A.)

Basic Allowance

AMOUNT CLAIMED £

Travelling, Subsistence and Other Expenses

I declare that - (a) I have necessarily incurred expenditure on travelling and subsistence for the purposes of enabling me to perform approved duties as a member of the Warwickshire County Council.

(b) I have actually paid the fares/made the other payments shown and/or paid the fees shown above.

(c) The amounts claimed are strictly in accordance with the rates determined by the Warwickshire County Council.

*Delete as appropriate

Declaration

I declare that the statements above are correct. Except as shown above I have not made, and will not make, any claim under a enactment for travelling or subsistence allowance in connection with the duties indicated above.

Date 29/12/2010 Signature of Member [Signature]

Note:- Times of absence must be shown when claiming subsistence allowance, which may only be claimed if the absence is in accordance with approved arrangements

FOR USE IN COUNTY TREASURER'S DEPARTMENT

TRAVELLING EXPENSES

Total Special Responsibility Allowances (S.R.A.)			
Total Basic Allowance			
	Total Allowances	£	V.A.T. Element £
Less: Income Tax			
National Insurance			
	Net Allowances	£	
*Travelling Expenses			
Subsistence			
Other Expenses			
	Total	£	

Paid Jan 11

34

34

WARWICKSHIRE COUNTY COUNCIL

Paid March 11

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE,
UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

CT.1
6/00

Name *W. B. H. - Loffert* FOR THE MONTH ENDING *31st Jan* YEAR *1971*
Vehicle Registration Number *W-287827* Address *100 Cowley Rd Bodsworth*

Make and Cubic Capacity of Vehicle

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Mode of Travel M-Car R-Rail G-Bus C-Taxi	Return Car Mileage	Other Payments Claimed	Details	Subsistence Allowance Claimed (see Note)
			Place	Time	Place	Time					
12/1	<i>Greenfield Mtg Motor Club</i>	<i>Blue Hall</i>	<i>Bodsworth</i>	<i>9:30</i>	<i>Bodsworth</i>		<i>44</i>	<i>C P</i>			<i>E R</i>
17/1	<i>Bokeley Community Mtg</i>	<i>"</i>	<i>"</i>	<i>"</i>	<i>"</i>		<i>44</i>				
14/1	<i>O+S Sunday Mtg</i>	<i>"</i>	<i>"</i>	<i>1:30</i>	<i>"</i>		<i>44</i>				
20/1	<i>Community Partnership</i>	<i>"</i>	<i>"</i>	<i>"</i>	<i>"</i>		<i>44</i>				
27/1	<i>Bokeley</i>	<i>"</i>	<i>"</i>	<i>1:10</i>	<i>"</i>		<i>44</i>				

Transfer In Summary overleaf *220*

35

98

AMOUNT CLAIMED FOR MONTH OF SAN YEAR 2011

Car Mileage

(Box (a) over 220 miles @ 40 p (rate per mile) =

£ 88 p 00

Other Payments

(Box (b) over) =

Subsistence

(Box (c) over) =

AMOUNT CLAIMED £ 88 00

Social Responsibility Allowance (S.R.A.) =

Basic Allowance =

AMOUNT CLAIMED £ 88

Travelling, Subsistence and Other Expenses

I declare that - (a) I have necessarily incurred expenditure on travelling and subsistence for the purposes of enabling me to perform approved duties as a member of the Warwickshire County Council.
(b) I have actually paid the fares/made the other payments shown and/or paid the fees shown above.
(c) The amounts claimed are strictly in accordance with the rates determined by the Warwickshire County Council.

*Delete as appropriate

Declaration

I declare that the statements above are correct. Except as shown above I have not made, and will not make, any claim under any enactment for travelling or subsistence allowance in connection with the duties indicated above.

Date 21/2/2011

Signature of Member [Signature]

Note:- Times of absence must be shown when claiming subsistence allowance, which may only be claimed if the absence in accordance with approved arrangements.

FOR USE IN COUNTY TREASURER'S DEPARTMENT

*TRAVELLING EXPENSES

Total Special Responsibility Allowance (S.R.A.)

Total Basic Allowance

Total Allowances £ _____

V.A.T. Element £

Less: Income Tax

National Insurance

Net Allowances £ _____

*Travelling Expenses

Subsistence

Other Expenses

Total £ _____

130

36

Paid March 11

WARWICKSHIRE COUNTY COUNCIL

CLAIM FOR ATTENDANCE ALLOWANCE, AND TRAVELLING AND SUBSISTENCE ALLOWANCE, UNDER THE LOCAL GOVERNMENT (ALLOWANCES) REGULATIONS, 1974

Name W. B. V. WOFFSETT

FOR THE MONTH ENDING FEB

Address 150 CONVENTRY RD BATHON

YEAR 2011

RECEIVED

01 MAR 2011

RESOURCES DIRECTORATE

Day of Month	Description of all Meetings or Duties	Place of Meeting or Duty	Place and Time of Departure		Place and Time of Return		Meds of Travel M- Car H- Rail O- Bus C- Taxi	Return Car Mileage	Other Payments Claimed	Details	Subsistence Allowance Claimed (see Note)
			Place	Time	Place	Time					
2/2	Exhorting Q + A	White Hall	Edmond	9.30	Edmond		44	I	P		
3/2	Copworth District Seminar	"	"	2.30	"		44				
9/2	Copthall Road Transport	Lower White Hall	"	4.30	"		9				
10/2	Remembrance Group Mtg	White Hall	"	1.10	"		44				
15/2	Commil Mtg	"	"	9.10	"		44				
16/2	Pontefract Briefing	"	"	12.00	"		44			17.50 - 22.45	
22/2	Copworth	"	"	1.15	"		44			25.50	55.7/54
25/2	Commil Training	"	"	10.10	"		44				
26/2	Exhorting	"	"	14.20	"		44				
							217	110			
							968				

(transfer in summary overleaf)

88

AMOUNT CLAIMED FOR MONTH OF _____ YEAR _____

Car Mileage (Box (a) over ~~267~~ 317 miles @ 40 p (rate per mile) = £ ~~144~~ 139.46

Other Payments (Box (b) over) =

Subsistence (Box (c) over) =

Special Responsibility Allowance (S.R.A.) =

Basic Allowance =

AMOUNT CLAIMED £ _____

AMOUNT CLAIMED £ 139.48

~~144.50~~

Travelling, Subsistence and Other Expenses

I declare that - (a) I have necessarily incurred expenditure on traveling and subsistence for the purposes of enabling me to perform approved duties as a member of the Warwickshire County Council.

(b) I have actually paid the fares/made the other payments shown and/or paid the fees shown above.

(c) The amounts claimed are strictly in accordance with the rates determined by the Warwickshire County Council.

*Delete as appropriate

Declaration

I declare that the statements above are correct. Except as shown above I have not made, and will not make, any claim under any enactment for travelling or subsistence allowance in connection with the duties indicated above.

Date 24/2/11 Signature of Member [Signature]

Notes:- Times of absence must be shown when claiming subsistence allowance, which may only be claimed if the absence in accordance with approved arrangements.

FOR USE IN COUNTY TREASURER'S DEPARTMENT

*TRAVELLING EXPENSES

Total Social Responsibility Allowance (S.R.A.) _____

Total Basic Allowance _____

Total Allowances £ _____ V.A.T. Element £ _____

Less: Income Tax _____

National Insurance _____

Net Allowances £ _____

*Travelling Expenses _____

Subsistence _____

Other Expenses _____

Total £ _____

W 00

38

COUNCIL EXPENSES BLUNDER REVEALED



REPAYMENTS: Councillor Barry Lobbett

Councillor 'inappropriately' claimed over 650 miles for travel

By Mary Griffin
ENVIRONMENTAL MATTER

A COUNCILLOR is being told to repay a part of expenses he claimed from the county council.

New documents reveal Coun Barry Lobbett (Con, Bedworth North) inappropriately claimed more than 650 miles of travel expenses from the county council for his electioneering last year and for duties at Nuneaton and Bedworth Borough Council.

Speaking on behalf of Coun Lobbett, who is on holiday, Conservative council leader Alan Farnell says the claims were due to a misunderstanding but stressed he would be having "serious words" with his colleague about the matter on his return.

Coun Farnell said: "Clearly Coun Lobbett did not understand the rules

regulate you are not allowed to claim anything for election duties. He didn't clearly make that clear."

"When he gets back off holiday I'll have serious words with him and he will repay that money."

The claims have been exposed by a Freedom of Information request from environmental campaigner and Nuneaton resident Keith Kondakor, who has been scrutinising county councillors' expenses over the last three years.

As well as Coun Lobbett's

inappropriate claims adding up to £270 - Mr Kondakor found the council councillor to stay in a "luxury" four-star hotel in Warwick.

The councillor's bills were submitted to the council for reimbursement, ranging from £42.50 to £200 per night.

Warwickshire councillors stayed in the second most expensive hotel, costing more than £500 a night.

Coun Farnell said: "It's a serious matter whether you know it's coming up or not, as a Local Government Authority conference the whole town is booked up. We go for as cheap as we can find."

Mr Kondakor is calling for councillors' forms to go online so their peers and the public can see and check claims for themselves.

He said: "While knocking on people's doors before the

election, Coun Lobbett was charging the taxpayer.

"The council just doesn't check. A councillor could submit an expense claim saying 'I want to visit my mother and they'd pay it.'

"They're messy, scrawled forms and they aren't treated seriously."

He added: "At the moment, with public services being cut, four-star hotels racking up thousands of pounds are not the best choice."

Coun Farnell admitted it's time to "tighten up the system" and says from now on, leaders of each political group will be responsible for checking their own councillors' expense claims.

He said he would "look into" the possibility of publishing the forms online.



Conservative council leader Alan Farnell and Keith Kondakor

Long term investigation into levels of spending

KEITH Kondakor launched his probe into county council spending three

for racking up a £106,000 expenses bill but last year they cut their claims by

expenses forms submitted by the 14 county councillors who claimed more

SCRAP WITH

DECISION NOTICE: REFERRAL FOR INVESTIGATION

Reference: WCC 4 / 2011

This decision notice is sent to the member against whom the allegation has been made and the person making the Referral.

Both parties should take care when passing on information contained in the notice or about the notice.

Complaint / Referral

On 1st August 2011, the Assessment Sub-Committee of Warwickshire County Council considered a referral concerning the alleged conduct of Councillor Barry Lobbett, a member of this Authority

A general summary of the referral is set out below:

The referral, by the Leader of the Council, arose following the publication of a press article in relation to allegations that the member concerned had claimed car mileage and other expenses which were not in accordance with the Member Allowances Scheme during the period 2 February 2010 to 28 February 2011

Decision

In accordance with Section 57A (2) of the Local Government Act 2000, as amended, the Assessment Sub-committee has decided to refer the allegation to the Monitoring Officer for investigation.

The Assessment Sub-Committee also noted that some expenses claimed related to election expenses and in carrying out the investigation draw the Monitoring Officer's attention to whether, in claiming such expenses an offence has been committed under the Election Acts

Potential breaches of the Code of Conduct identified

The Assessment Sub-committee identified paragraphs of the Members Code of Conduct which may apply to the alleged conduct. The Monitoring Officer, or person appointed to carry out the investigation, will determine which paragraphs are relevant during the course of the investigation:

- bringing an office or authority into disrepute
- using your position as a member improperly to confer or secure an advantage or disadvantage
- not using the resources of the authority in accordance with their requirements

- ensure that the authorities resources are not used improperly for political purposes (including party political purposes)

What happens now?

The Monitoring Officer will appoint someone to investigate the matter. He/She will contact you to advise you of the next steps.

Please treat any information provided to you during the course of the investigation as confidential. There are statutory restrictions on the disclosure of information obtained during an investigation. This is covered by Section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Terms of reference

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, and provides for the local assessment of complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and the requirements for dealing with this.

The regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committee) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

Additional Support and Assistance

The Monitoring officer, or person appointed to carry out the investigation, will contact you and explain the process for the investigation.

Should you require additional support in dealing with this matter, either now or in the future, please notify the Monitoring Officer.

The Council can make information available in different formats and can make reasonable adjustments in line with the requirements of the Disability Discrimination Act 2000.

Signed John S Bridgeman

Date 2 August 2011

John Bridgeman CBE TD DL

Chair of the Assessment Sub-Committee

4/1

EXTRACT

NUNEATON AND BEDWORTH BOROUGH COUNCIL
MEMBERS ALLOWANCES SCHEME
SCHEDULE 3

1. Travel and Subsistence Allowances

Travel and Subsistence Allowances will be payable in respect of the following duties:

- (a) all those duties set out in Schedule 2;
- (b) visits and meetings by Cabinet Members and Chairs of Committees in execution of their duties;
- (c) attendance as a member appointed by the Cabinet Members or Chairs of Committees at Conferences;
- (d) attendance at training and induction courses and seminars for members;

Please note that:

- (a) mileage shall be paid for the extra miles incurred in travelling to a meeting etc., i.e. if you are travelling from your workplace to a meeting and not returning to your workplace, then you should deduct the mileage you would have normally incurred travelling home; and
- (b) members must have valid driving licence and motor insurance which specifies use in connection with business
- (c) mileage for attendance at surgeries and home visits is not payable.

2. Rates of Travel and Subsistence Allowances

Full details of travel and subsistence allowances payable are as follows:-

(a) Travel Allowances

- (i) the rates payable for the use of a member's car in carrying out an approved duty are as follows:

	Per mile
Not exceeding 999cc	42.9p
1000cc to 1199cc	47.7p
Exceeding 1199cc	60.1p

- (ii) the rates payable for the use of a member's motor cycle in carrying out an approved duty is the same as above.
- (iii) normal parking fees will be reimbursed and in the case of absence overnight from the usual place of residence, garaging can be charged at cost,
- (iv) the rate of travel by public transport shall not exceed the amount of the ordinary fare or available cheap fare, plus any seat reservation costs, etc.

NUNEATON AND BEDWORTH BOROUGH COUNCIL
MEMBERS ALLOWANCES SCHEME
SCHEDULE 2

1. Approved Duty

"Approved Duty" for the purpose of paying travel and subsistence means any of the following duties:

- (a) attendance at meetings of the Council or of its committees or sub-committees or of a working party, study group or review board formally appointed by the Council or one of its committees;
- (b) attendance as an appointed representative of the Council at meetings with local authorities or public bodies;
- (c) attendance as appointed representatives at a public meeting arranged by the Council, such appointment to be made by a resolution of the sponsoring committee prior to the meeting;
- (d) attendance at Induction meetings held for new Councillors and Seminars arranged for Councillors;
- (e) visits of inspection by Committees or Sub-Committees, provided the meeting has been previously approved;
- (f) attendance as appointed or nominated representative at meetings of the bodies approved at Annual Council and of any other body approved by the Council for the purposes of the scheme;
- (g) attendance as a substitute representative in cases where such substitute is directly nominated by an appointed or elected representative under (f) above.

Assessment Sub-Committee
Investigation re Councillor B Lobbett

Notes of interview with Councillor B Lobbett on 22 August
and follow up telephone conversation on 2nd September, 2011

1. Councillor Lobbett felt generally annoyed and disappointed that this had occurred. He expressed his concern that he would never have sought to claim expenses which he was not entitled to and felt that 'the system' should have picked this up.
2. Councillor Lovatt confirmed that when this matter was raised he was out of the country, and was notified by e mail. He had confirmed that e would repay any sums claimed in error.
3. On his return he had made efforts to find out how this could possibly have occurred. He contacted Jaspal Heer, who deals with expenses and was told she doesn't check the claims and only carries out an arithmetical check. He was suppressed by this. He also understood that staff were not permitted to check the expense claims.
4. Councillor Lobbett was a Nuneaton and Bedworth Borough Councillor for 4 years, he felt that Pam Matthews who dealt with the expenses claims at the Borough would have picked up any claims which were not permitted and he thought the same system would apply.
5. Councillor Lobbett became a County Councillor in June 2009 and explained that for a period of about a year also held a position as a member of Bedworth and Nuneaton and was 'dual hat'ed'.
6. Councillor Lobbett is aware of the Councillors Code of Conduct and the Members expenses Scheme. He was also aware of a previous Standards Board investigation into another Councillors claim, although of a different nature. Councillor Lobbett expressed his concern that this was a genuine mistake, and he felt annoyed that he had allowed himself to be in this situation. He was very concerned that there were also reputational issues, he would not claim anything he was not entitled to.
7. He felt that the Warwickshire scheme may have been a bit complicated to understand and thought that in the Borough he may have been issued with a single page of "do's and dont's" possibly a laminated page, which was more easy to check against.
8. Councillor Lobbett understood that there were 2 main types of errors in his claim:
 - 1) that some items claimed related to expenses which should have been claimed from the Borough Council rather than the County Council, and
 - 2) some were items which were for political related work and would not have been claimable from either the County or the Borough.

9. In going through the claim forms it was also noted that there may also be some items which although relating to work in his role as a County Councillor were not claimable under the County's Member's Expenses Scheme.
10. As part of checking how this occurred Councillor Lobbett also explained that he had spoken to John Betts, Head of Corporate Finance as he understood that there has been a Freedom of Information request for details of all Councillors expense claims over £1,500 yet his claim was below this sum. It was explained that as his payment had been made in the relevant period details of his claims had been released.
11. Councillor Lobbett was grateful that this had been picked up when it had as he would have continued to have claimed in the same way, meaning that he would have expecting things which were outside the scheme to have been picked up and advised
12. Councillor Lobbett became a County Councillor in June 2009 and explained that for a period of about a year also held a position as a member of Bedworth and Nuneaton and was 'dual hated'.
13. Councillor Lovett explained that he kept a note of all his expenses in his diary/ year book and then went through his diary (he was using a Borough Council Year Book which had been issued to members) and listed all the entries on his expense form.
14. He readily agreed, in reflection that he was not entitled to claim for leafleting and canvassing, for the MP as these were political duties. He also readily accepted that claims for borough council expenses should have been claimed from the Borough. He however believed that he has been advised that he could put these on one claim form and that the county would just recharge the borough. He couldn't totally recall who had told him this but he felt it was an officer (who he named), he thought this may have been where he went to a meeting which he would have attended in his role as a County Councillor and also a Borough Councillor.
15. Councillor Lobett agreed for us to go through the claim forms together to identify which items would not have been claimable. This was done by looking at each, line and marking these as Political and not claimable (yellow highlighted) and Borough Council expenses (Blue highlighted). There were also a couple of items which although relating to matters affecting the Borough or County e.g residents concerns with the situation with a major project in respect of the A444, the development of a roundabout and traffic problems caused which did not appear to be a authorised County Council meeting which were to be checked.
16. Councillor Lobbett readily accepted that he would pay back any over claim, either by this being withheld from his next expenses payment or by cheque. We suggested that it may be appropriate to check the few queries and agree the outstanding amount and then arrange to forward a cheque.
17. Councillor Lobbett was at point to point out that this was a bona fide error and it was not his intention to fraudulently claim. He was concerned that this would and had already had an effect on his reputation and may have an effect on the party as he was the only conservative in Bedworth. He has only briefly

spoken to the leader and wishes to apologise, this was never his intention and something he would never set out to do.

18. Councillor Lobbett acknowledges that he can not reclaim the expenses which would have been payable by the Borough as he is out of time.

19. Councillor Lobbett has seen the press cuttings in relation to the matter. He has also been made aware of some flyers being put through doors asking why he hasn't been sacked over his expenses claims, although he hasn't seen a copy himself. He is concerned that his genuine mistake will and is being used for political gain.

Assessment Sub-Committee
Investigation re Councillor B Lobbett

Notes of interview with Councillor B Lobbett
follow up telephone conversation on 4th October 2011

1. Councillor Lobbett had the opportunity to consider the additional list of expenses which had been identified as not being permitted under the Council Member Expenses Scheme. He accepted officers advice that these were not approved expenses but questioned why he was not permitted to claim for expenses which were obviously related to his role – such as attending and giving support to a children's safety day within his area.
2. Councillor Lobbett confirmed that he was content to repay the expenses and confirmed that as a claim for expenses was about to be paid these should be set off against that payment.

Assessment Sub-Committee
Investigation re Councillor B Lobbett

Notes of telephone interview with Pam Matthews, Senior Democratic Services Officer – Nuneaton and Bedworth Borough Council on 23 and 31st August 2011

Councillor B Lobbett was a Councillor for Nuneaton and Bedworth until 2010.

The process followed for Councillors expenses in Nuneaton and Bedworth is that Councillors submit a claim for their expenses. These are then checked by myself (Pam Matthews) to confirm the attendance was in respect of an authorised event e.g a meeting, training session etc in accordance with the members allowance scheme and also that they attended the meeting either checking the register or with the relevant officer. The amount of mileage claimed is also checked. Errors are picked up and crossed out before being processed.

It is not uncommon for Councillors to make errors on their claim forms. Several of the Councillors do not make claims, I anticipate that as they are so local the simply don't bother for a few miles.

The Council has a published Members Allowance and Facilities Scheme and the Guidance Notes are issued to all Councillors (copy to be forwarded for information). This is a booklet setting out the scheme. Nuneaton and Bedworth has not issued a one page members expenses document and Pam is not aware of seeing any similar document being issued by the Group.

The scheme does not permit claims in respect of Members Surgeries, these are expected to be included as part of the members Basic Allowance. The Scheme also does not include payments in respect of group meetings.

Councillor Lobbett only made one claim during his period as a Borough Councillor. This was on 20 September 2007. This included travel for a Summer Planning Conference which was some distance away. She crossed out one item on that claim form for a PACT meeting, as this was not within the allowance scheme.

Pam would not have advised that the County would recharge the Borough for expenses. It is unlikely that the Councillor would have attended a meeting on behalf of the County and the Borough unless this was a residents meeting in respect of a particular issue and it would then be determined where a claim should lie. I do not consider that the Executive Director would have given this advice.

I am not aware of any leaflets being circulated relating to Councillor Lobbett's expenses claim but was aware of the matter from the local press and being contacted as part of the investigation.

Assessment Sub-Committee
Investigation re Councillor B Lobbett

Notes of telephone interview with Jaspal Heer, Payroll Services Manager.

The arrangements in respect of Councillors expenses are that these are signed by the Councillor and only a basic arithmetic check is carried out before these are processed for payment.

No checks are carried out in relation to the item of expenditure claimed however, where there is an obvious error, such as a larger than usual amount claimed for a specific journey this may be picked up and amended. There would be resource implications if staff were required to check all claims.

The Councillors certify that their claim is appropriate. I understand that some discussion was had in relation to whether claims should be certified by group leaders but this had not been implemented yet.

Councillor B Lobbett did contact me recently to ask what checks were carried out and I informed him that this was a basic arithmetic check only.

Councillor Lovett also enquired why details of his claims had been released as part of an FOIA request for information. This was because the expenses were paid within the time frame of the request, although the expenses themselves related to a period before the request.

Assessment Sub-Committee
Investigation re Councillor B Lobbett

**Comments of Councillor A Farnell, Leader Warwickshire County Council
on draft Investigation Report**

I consider that some of the of the claims in Table C are justified and Councillor Lobbett should have been entitled to claim for these.

In particular:

- 18th June the Children's Safety Day, Councillors were encouraged to attend these and they would therefore expect to claim the mileage.
- It is also acceptable for a Councillor to go to an officers retirement if he is coming in for other arranged meetings on that day.
- The A444 issue was one of the main issues Councillor Lobbett was dealing with for the area at the time and he may have held Surgeries in relation to these.

The situation has now changed and the Group leaders are now checking and authorising claim forms.

Assessment Sub-Committee
Investigation re Councillor B Lobbett

**Comments of Councillor B Lobbett
on draft Investigation Report**

I am adamant that I was advised by a member of staff from the Borough Council to claim my expenses in this way otherwise I wouldn't have claimed these. I can't however recall exactly who or when I was told this now.

I accept what I am told about activities I can't claim for, I still find it hard to believe I can't claim for the Kiddies Safety day as all Councillors were encouraged to attend these.

I am content for the overpaid expenses to be taken out of my next claim form. Alternatively I am happy to write out a cheque for these.

Chronology of events

May 2010 - Feb 2011	4 Claims submitted
12 May 2011	Freedom of Information Act 2000 request re members travel expenses
15 June 2011	Information provided under Freedom of Information Act request
17 th June 2011	Article appears in Coventry Telegraph
	Referral under Member Code of Conduct
1 August 2011	Assessment Sub Committee refers matter to Monitoring officer for Investigation
	Investigation and interviews
11 October 2011	Report submitted to complainant for review
November 2011	Report Submitted to Monitoring officer for Consideration