
Meeting: Council
Date: 14 April 2011
Subject: Membership of the Standards Committee
Report of: Cllr Maurice Jones, Portfolio Holder for Finance, Governance and People
Summary: The report proposes that the terms of office of the existing Independent Members and Town and Parish Council representatives on the Standards Committee be extended indefinitely to ensure that the Council can comply with its statutory obligations until the Localism Bill is enacted.

Contact Officer: John Atkinson, Head of Legal & Democratic Services
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The maintenance of high ethical standards through the work of the Standards Committee is an important element of the Council's corporate governance framework.

Financial:

There are none.

Legal:

The Local Government Act 2000 provides that the Council must establish a Standards Committee including at least one independent member. The functions of the Council's Standards Committee include responsibility for Town and Parish Councils and, when exercising that responsibility, the Standards Committee must also include at least one representative of the Town and Parish Councils in the area.

Risk Management:

The Council must ensure that it is in position to undertake its statutory responsibilities in relation to standards until the Localism Bill is enacted and comes into force.

Staffing (including Trades Unions):

There are none.

Equalities/Human Rights:

None arise from this report.

Community Safety:

There are none.

Sustainability:

There are none.

RECOMMENDATIONS:

- 1. That the terms of office of the existing Independent Members and Town and Parish Council representatives on the Council's Standards Committee be extended indefinitely.**
- 2. That the period of extension be subject to review when the Council has determined what local arrangements it intends to adopt to replace the current statutory regime.**

Membership of the Standards Committee

- The Council is required to appoint a Standards Committee including at least one Independent Member and, when the Committee exercises its responsibilities in respect of Town and Parish Councils, at least one member representing Town and Parish Councils in the area. The Council's Constitution provides for the Standards Committee to include:

Five elected members
Five Independent members
Five members of Town and Parish Councils in the District.
- In February 2009 the Council appointed people to serve as Independent Members and representatives of the Town and Parish Councils until the elections to be held in May 2011.
- The persons listed below are those who are currently serving on the Standards Committee and their terms of office will expire when the elections take place in May 2011.

Independent Members:

Kenneth Frazer
Keith Ford
Jeremy Dann
Deborah Maggs
Mike Jones

Town and Parish Council Representatives: Brian Collier
John Eilbeck
Julie Hughes
John Lewis
Brian Saunders

The Localism Bill

4. The Localism Bill contains provisions which will repeal the current statutory regime. This regime requires the Council to adopt a Code of Conduct for Members, to appoint a Standards Committee, and prescribes a framework for the assessment, investigation and determination of complaints about alleged breaches of the Code of Conduct.
5. It is anticipated that the Localism Bill will receive Royal assent in the autumn of 2011 and that the current Standards regime will therefore come to an end by April 2012. Thereafter, the Council will have a continuing duty to promote and maintain high standards of conduct, but it is likely that the Council will have discretion to determine precisely what arrangements it wishes to make to replace the current statutory Code of Conduct and complaints process.

Proposed Extension of the Term of Office of Co-opted Members

6. Until such time as the Localism Bill receives Royal assent and comes into force, the Council must maintain a Standards Committee including Independent Members and Town and Parish Council representatives. The Council will also need to continue to handle complaints as and when they arise and for this purpose will need to retain a number of Independent Members and Town and Parish Council representatives to serve on Assessment, Review and Hearing Sub-Committees.
7. Accordingly, it is proposed that the terms of office of the existing Independent members and Town and Parish Council representatives be extended indefinitely, but that the period of extension will be subject to review when the Council has determined what local arrangements it intends to adopt to replace the current statutory regime.

Background Papers: (open to public inspection)
None