
ADDITIONAL STANDARDS COMMITTEE MEMBERS

Responsible Cabinet Member - Councillor John Williams, Leader

Responsible Director - Paul Wildsmith, Director of Corporate Services

Purpose of Report

1. The purpose of this report is ask Members to approve an increase in the membership of the Standards Committee by the appointment of three additional Borough Council Members.

Background

2. The Standards Committee is currently composed of three Independent Members, two Borough Council Members and two Parish Council Members.

Information and Analysis

3. The Local Government and Public Involvement in Health Act 2007 will devolve the primary role for overseeing of the Code of Conduct to local Standards Committees, when the relevant provisions come into force later this year.
4. The Act will give the Standards Committee responsibility for receiving allegations and dealing with initial assessments and reviews rather than the Standards Board for England. Local Standard Committees will undertake the majority of hearings and this will enable the Standards Board to have more time to carry out the role of strategic regulator.
5. Regulations are still awaited about the way in which the initial assessment and review functions are to be performed. It is possible that there will have to be at least three separately composed review panels, one to consider a decision whether to investigate an allegation on initial assessment, one to hear an appeal if the allegation is rejected at this stage, and one to determine the matter. The minimum number of members required for a review panel is three. If this is the case, then we are likely to need at least nine Members to participate, three in each panel.
6. There is already a requirement that we have a parish member for consideration of any parish issues and the committee currently has 2 parish members. There is a requirement that the Chair of the Committee is independent and it is likely that this will also apply to any panels of the committee and we currently have three independent members. It has been suggested that there may be a requirement that for panels considering Borough Council complaints at least one political member should be on any panel. There are currently two elected members on the Committee.

7. If Members have conflicts of interest, or are unavailable to participate for other reasons, then the pool of Members that can be drawn from will be reduced.
8. Given the current small membership of the Standards Committee there is a real risk that on occasion there will be insufficient members available.
9. The Standards Committee has considered the consultation on the proposals and recommends to Council that the Committee should be increased by 3 elected members, one from each political party, and that this should take place as soon as possible so that they can take part in training which is likely to take place in relation to the new roles and responsibilities of the committee. The new regulations are likely to be in force in May this year, and there is therefore a need to ensure that these appointments take place prior to the Annual meeting of Council.
10. The proposal is therefore that the membership of the Committee should be increased by recruiting three new Borough Council Members at this Council meeting, to bring the total membership to ten Members with immediate effect.

Legal Implications

11. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

12. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Recommendations

13. Members are requested to:-
 - (a) Approve the increase to the number of members of the Standards Committee by three additional Borough Council members.
 - (b) Appoint the new Members of the Standards Committee.

Reason

14. To enable the Standards Committee to increase its size to have sufficient capacity to undertake the greater workload that it will have to perform as a result of the Local Government and Public Involvement in Health Act 2007.

Catherine Whitehead
Borough Solicitor and Monitoring Officer

Background Papers

No Background papers were used in the preparation of this report.

Catherine Whitehead: 2306