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Report of Head of Legal and Democratic Services

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Report no 107/10

Appointment of independent members to the Standards Committee

Recommendation

That Council re-appoints Mr David Howard, Mr Jeffery Lemon, Mr Mike Roberts and Mrs Vanessa Shenton as independent representatives to the Standards Committee until May 2015 or until the abolition of the Standards Committee if this is sooner.

Purpose of Report

1. This report invites Council to re-appoint the current independent members to the Standards Committee.

Background

2. At its annual meeting in 2007 Council appointed Mr Lemon, Mr Roberts and Mrs Shenton as independent members on the Standards Committee until May 2011. At its annual meeting in 2008 Council re-appointed Mr Howard as an independent member until May 2011.

Re-appointment

3. Previous guidance from Standards for England (SfE) recommended that independent members serve no more than two terms of four years after which new members should be recruited. The three members appointed in 2007 have only served one term of office. Officers recommend that Council re-appoint all three members for a further term or until the abolition of the Standards Committee if this is sooner.
4. Mr Howard, Chairman of the Standards Committee, has completed two terms. Given the current uncertainty regarding the future of the standards regime, a number of authorities have pointed out that it may be preferable to retain those

who have been trained and understand their role rather than to try to recruit and appoint new members. In light of the uncertain future of the standards framework SfE have advised that, as long as the original appointment was carried out in accordance with all the correct legal requirements at the time (e.g. approved by full council, after being openly advertised and having assessed the suitability of all the applicants) an authority can extend that term for a further period. This can only be done during the term of office of an existing independent member and by approval from full council. Once the independent member's term has expired the full recruitment procedures must be followed again. Mr Howard's current term expires in May 2011. In light of the above revised advice, officers recommend that he is re-appointed for a further term.

Financial Implications

5. There are no financial implications associated with the recommendations. If Council does not agree the recommendations the subsequent recruitment process would involve a cost to the council arising from advertising costs.

Legal Implications

6. The Council is required to appoint a Standards Committee under the Local Government Act 2000. That committee need not be politically balanced and must also include independent (non-councillor) representatives, together with parish council representatives.
7. Standards Committee (England) Regulations 2008 require that at least 25 per cent of the members of the Standards Committee must be independent. For this Council this equates to four.

Risks

8. By appointing members to the Standards Committee at this meeting Council will meet the requirement to have the required number of independent members appointed to the Standards Committee.

Other Implications

9. There are no other significant implications.

Conclusion

10. The council must appoint four independent representatives to the Standards Committee. By re-appointing the current membership Council will ensure the retention of experienced members during a time of uncertainty surrounding the future of the standards regime.