

STANDARDS COMMITTEE

29 APRIL 2009

APPOINTMENT OF NEW INDEPENDENT MEMBERS

Report from/Author: Deborah Upton, Monitoring Officer

Summary

The Committee is requested to note the necessity to appoint two Independent Members and the process for this appointment.

1. Budget and Policy Framework

- 1.1 The decision shall be made within the council's policy and budget framework. The appointment of independent members is ultimately a matter for Full Council.

2. Background

- 2.1 The Standards Committee currently comprises three members of the authority, three parish members and five independent members. In line with guidance from the Standards Board (to which the Council must have regard) Independent members should not be appointed (or reappointed) for more than an 8 year period. Two of the members of the Standards Committee have now served in excess of 8 years and so will be standing down.

3. Advice and analysis

- 3.1 Under the Local Government Act 2000, the Council is required to have a Standards Committee, and in accordance with the Standards Committees (England) Regulations 2008 (the 2008 Regulations), at least 25% of the membership of the Standards Committee must be independent members (that is persons who are not members or officers of the Council).
- 3.2 Two of the independent members of the Standards Committee have served in excess of the recommended maximum period and so will be standing down. In order to meet its statutory obligations relating to member complaints, it is recommended that five independent members need to be members of the Standards Committee.
- 3.3 In accordance with the 2008 Regulations a person may only be appointed as an independent member of the Standards Committee if

approved by the majority of members of the Council. The final decision on appointment is therefore with Full Council.

- 3.4 It is advised that the Standards Committee make recommendations to Full Council to appoint two new Independent Members in order to meet the requirements within the legislation.

4. Risk Management

- 4.1 The risk to the Council in not appointing new independent members is that the Standards Committee will not have sufficient independent members to enable it to comply with its statutory requirements in dealing with standards hearings. The action needed to mitigate this risk is to appoint replacement independent members.

5. Consultation

- 5.1 None, but if Full Council approves the appointment of new independent members the opportunity will be advertised in accordance with the 2008 Regulations.

6. Financial and legal implications

- 6.1 There are no financial implications contained within the report.
- 6.2 The legal implications are set out within the body of this report

8. Recommendations

- 8.1 It is recommended that the Standards Committee recommend to Full Council that the Assistant Director (Housing & Corporate Services) undertake the recruitment of two new Independent members to the Standards Committee and report back to Full Council to approve appointment.
- 8.2 That the 2 Independent Members that are due to stand down remain as members of the Standards Committee until their replacements have been appointed.

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Background papers

None