



AGENDA ITEM: 12

COUNCIL: 17 May 2006

Report of: The Council Secretary and Solicitor

Contact for further information: Mrs Jacky Denning (Extn. 5384)

**SUBJECT: STANDARDS COMMITTEE – APPOINTMENT OF INDEPENDENT
AND PARISH COUNCILLOR REPRESENTATIVES**

District wide interest

1.0 PURPOSE OF THE REPORT

- 1.1 To consider the re-appointment of an Independent Member, the appointment of two Parish Councillor Members and the appointment of the Chairman and Vice Chairman of the Standards Committee for 2006/07.

2.0 RECOMMENDATIONS

- 2.1 That the Committee continues to comprise 11 members namely 5 independent members, 2 Parish Councillor representatives, 2 Conservative and 2 Labour members.
- 2.2 That Paul Hanmer be appointed to serve for a further term as an independent member on the Standards Committee until the date of the Annual Meeting of the Council in May 2009.
- 2.3 That the two Parish Councillors with the highest number of votes, be appointed to serve for a two year term as the Parish Councillor representatives on the Standards Committee until the date of the Annual Meeting of the Council in May 2008.
- 2.4 That the appointment of all other members of the Standards Committee be as indicated on the Appendix circulated earlier in the meeting.

- 2.5 That John Cailles and Paul Hanmer be appointed as Chairman and Vice-Chairman respectively for the period ending with the next Annual Meeting of the Council.
- 2.6 That the Standards Sub-Committee continue to operate as set out in the Constitution.
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3.0 BACKGROUND

- 3.1 The Council appointed its Standards Committee with independent members in 1999, in advance of the statutory requirement arising from the Local Government Act 2000.
- 3.2 The Relevant Authorities (Standards Committee) Regulations 2001 set out the rules governing the size and membership of the Standards Committee and how it should run its business.
- 3.3 Under the Local Government Act, Standards Committees have five 'statutory functions'. They must:
- Give the council advice on adopting a local code of conduct;
 - Monitor the effectiveness of the code;
 - Train members on the code, or arrange for such training;
 - Promote and maintain high standards of conduct for members; and
 - Help members to follow the code of conduct.
- 3.4 Standards Committees can also grant 'dispensations' so members can be included in meetings they would not normally be able to attend due to a prejudicial interest. The Standards Committee can only grant dispensations in the circumstances set out in the Regulations.
- 3.5 The introduction of Regulations has provided for Ethical Standards officers, from the Standards Board for England, to refer reports for local investigation and determination, a Sub-Committee has been established to deal with these issues.
- 3.6 Standards Committees can also have other functions. The Standards Board for England believe that Standards Committees should be proactive by introducing change rather than reacting to events and that ultimately, Standards Committees should aim to create and maintain ethical organisations.

- 3.7 Creating and maintaining an ethical organisation is not just about adopting a code of conduct for Members. It is also about relationships both internally between Members and Officers, and externally with members of the public. It is about how the Council relates to the community and improves the service it provides. It involves the input and dedication of both Members and Officers.
- 3.8 At least two of the Standards Committee members must be Councillors; at least 25% must be 'independent representatives', (there is no limit on the number you can have); and at least one member must be a parish council representative. The parish council representative must not also be a member of West Lancashire District Council.
- 3.9 The current Committee comprises 11 members namely 5 independent members, 2 parish representatives, 2 Conservative and 2 Labour Councillors.

4.0 TERMS OF REFERENCE

- 4.1 The Role and Functions of the Standards Committee is detailed in "Section 3.9 of the Constitution, Article 9 – The Standards Committee".

5.0 INDEPENDENT REPRESENTATIVES

- 5.1 This Council decides how long an independent representative should sit on the Committee. The Standards Board advice is that this should be long enough for them to gain an understanding of the committee, the council and its workings, but not so long that they lose their independence.
- 5.2 This Council has appointed 5 Independent Representatives to its Standards Committee, using a statutory procedure. Current terms of office and details of when members were first appointed are as follows:

Independent Member	Appointed until the date of the annual meeting of the Council in:	First Appointed as an Independent Member
Mr John Cailes (Chairman)	2008	1999
Mr Paul Hanmer (Vice-Chairman)	2006	2003
Prof. Roy Chester	2007	2004
Mr Roger Merry	2007	2004
Mr Brian Molyneux	2007	2004

- 5.3 The Term of office for Independent Member, Paul Hanmer, who is also the Vice-Chairman of the Committee is due to expire at today's Annual Meeting. Paul Hanmer is an experienced member of the Committee and he has

advised that he is willing to continue as an Independent Member and Vice-Chairman of the Standards Committee.

- 5.4 The Council needs to be mindful of the advice from the Standards Board for England regarding the length of time Independent Members serve on the Standards Committee, which is as mentioned above, that the length of time should be long enough for members to gain an understanding of the committee, the council and its workings, but not so long that they lose their independence. Paul Hanmer has served for 3 years and has been appointed as Vice-Chairman for this period, however I do not feel that a further term of office would compromise his independence.

6.0 PARISH REPRESENTATIVES

- 6.1 The Council consulted parish councils within its area to help decide if there should be a parish sub-committee, the number of representatives and how long they should serve on the committee. The Council arrange its own recruitment process, the Parish Councils are involved in the selection process and it is fair and open.
- 6.2 This Council have not established a parish sub-committee. The Parish Council Joint Liaison Committee requested a two-year term of office for Parish Representatives.
- 6.3 The Standards Board for England encourage the appointment of more than one representative and in West Lancashire we have decided to appoint 2 using an approved procedure. Current terms of office and details of when members were first appointed are as follows:

Parish Council Representative	Appointed until the date of the annual meeting of the Council in:	First Appointed
Parish Councillor Joan Draper	2006	2001
Parish Councillor David Kitson	2006	2004

- 6.4 The Term of office for both Parish Councillor Representatives are due to expire at today's Annual Meeting.
- 6.5 All Parish Clerks have been contacted inviting their Parish Council to submit the name of a member they would wish to see appointed to serve on the Standards Committee. In that invitation Parish Clerks were advised that the member nominated should not be a District Councillor and ideally should not be a close friend of any member or officer of the District Council. All nominees were required to prepare a brief personal profile.
- 6.6 Upon receipt of the nominees Parish Clerks were contacted once more requesting their Parish Council to vote for two candidates from the list of

nominations. They were advised that the two candidates with the highest number of votes would be appointed to serve on the Standards Committee for 2006/2007 and 2007/2008.

6.7 The list of nominees are as follows:

NAME OF CANDIDATE
(all Parish Councillors)
Joan Draper
Eamon Duffy
Michael Hammond
David Kitson

6.8 The number of votes received will be reported at the meeting. The two nominees with the highest number of votes should be appointed.

7.0 COUNCILLORS

At least two members of the committee must be Councillors. Appointments to the Committee are reviewed annually in accordance with Council procedures. As the Council is currently operating a Leader with Cabinet model of executive arrangements, there can only be one executive member on the Standards Committee. That member must not be the Leader and cannot be the Chairman of the Committee. The Council has agreed that substitutes on the Standards Committee will not be permitted, in accordance with Standards Board recommendations.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

8.1 Promotion of high ethical standards at a local level assists in demonstrating that the Council is an ethical organisation.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 Allowances are paid to the following members of the standards committee in recognition of their respective roles and are covered in existing budgets as follows:

Role	Allowance per annum
Independent Member	£200
Parish Council Representative	£200
Chairman	£400
Vice Chairman	£200

10.0 RISK ASSESSMENT

10.1 There are no significant management risks arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

None