



## STANDARDS COMMITTEE

20 MARCH 2018

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**Report of: Borough Solicitor**

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**SUBJECT: MEMBERSHIP OF STANDARDS COMMITTEE**

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Wards affected: Borough wide.

### **1.0 PURPOSE OF THE REPORT**

1.1 To consider a request for two Parish Representatives to be appointed to the Standards Committee.

### **2.0 RECOMMENDATION**

2.1 The Committee's views are requested.

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### **3.0 BACKGROUND**

3.1 Prior to the introduction of the current Standards regime (as required by the Localism Act 2011) the Council's Standards Committee had provided for two Parish Council representatives in accordance with a statutory requirement placed upon it.

3.2 Upon the introduction of the current regime a report from the Managing Director (People & Places) on membership of the "new" Standards Committee was considered by the Council on 19 June 2012. The Council had a discretion to exercise and the report contained a recommendation proposing that the Parish Councils be invited to nominate a maximum of 3 Parish Councillors to be co-opted as non-voting members of the Committee from 1 July 2012. It may be recalled that there was no obligation to have a standards committee as such, although standards functions would need to be catered for.

3.3 Council resolved to establish a Standards Committee comprising 3 Conservative and 3 Labour members, with no provision for Parish Council representatives (this was considered alongside other detailed decisions at the same meeting in relation to the changed regime).

- 3.4 The Council continues to have responsibility for dealing with standards matters including complaints against elected and appointed members of Parish Councils. It also retains a choice of whether to appoint parish representatives and, if so, the extent to which they may be involved.

#### **4.0 CURRENT POSITION**

- 4.1 A request has been received from the Lancashire Association of Parish and Town Councils (West Lancashire Area Committee) for the Council to consider the appointment of Parish Council representatives on the Council's Standards Committee. A copy of the letter is attached as Appendix 1 to the report. Furthermore, the issue was raised at the Parish Clerks' Liaison meeting on 19 January 2018.

- 4.2 In considering the issues raised members may wish to be cognisant of the experience of complaints which is reported elsewhere on the agenda. There is a particular frustration mentioned within the letter appended and this may not be addressed by any change in arrangements given the restricted powers available to principal councils in their standards arrangements.in dealing with parish matters

#### **5.0 ISSUES**

- 5.1 There is an ability for Parish Council representation to be provided for on the Standards Committee and Members may wish to consider the co-option of 1 or 2 parish representatives, with rights to speak on issues but not vote.
- 5.2 Furthermore Member may wish to consider to appoint one of the nominated Parish reps to Assessment and Hearings Sub-Committee where a parish related complaint is to be decided on the same basis (i.e. to speak but not vote).
- 5.3 If members considered there is a need to change arrangements the decision on change would be one for a meeting of Full Council to be considered on the Committee's recommendation. This would need to include the matter of detailed arrangements including updated terms of reference, provision for expenses and procedures.

#### **6.0 CONCLUSION**

- 6.1 Appointments to Committees, Sub-Committees etc. will be considered at the Annual Council meeting on 16 May 2018 and therefore any changes to membership of the Standards Committee will take effect in the forthcoming Municipal Year 2018-19.

#### **7.0 SUSTAINABILITY IMPLICATIONS**

- 7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

#### **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 There are no significant financial or resource implications arising from this report. If changes to the regime are made then officers will need to revise procedures to accommodate this. This would be done ahead of reporting the matter to Council for decision, if appropriate.
- 8.2 If representatives were to be included in revised arrangements then they would need to have their expenses met for travel and subsistence (not allowances) in line with arrangements for members. This could/could not\* be accommodated within the current budgets [and it is suggested that an appropriate arrangement be agreed for funding this in the report to Council.

## **9.0 RISK ASSESSMENT**

- 9.1 This item does not require a formal risk assessment and no changes have been made to risk registers as a result of this report.
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### **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**

The decision does not have any direct impact on members of the public, employees and / or stakeholders. Therefore no Equality Impact Assessment is required.

### **Appendices**

Appendix A – Letter from LAPTC (WL Area Committee)