

MUNICIPAL YEAR 2011/20112REPORT NO. 1

MEETING TITLE AND DATE:

Council
4 May 2011

BRIEFING PAPER OF:

Director of Finance and
Corporate Resources

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Agenda – Part:1	Item: 10
Subject: Standards Committee – Review of Increased Membership	
Wards: Non Specific	
Cabinet Member consulted: N/A	

1. SUMMARY

On 30 June 2010, Council agreed that the number of independent members on the Standards Committee should be reviewed at the end of the Municipal Year 2010/11 (Minute 31 refers).

This report reviews the number of independent members on the Standards Committee.

2. RECOMMENDATION TO COUNCIL

That Council agrees that the membership of the Standards Committee be decreased from four independent members to three in the new municipal year 2011/12 in light of the Localism Bill.

3. BACKGROUND

- 3.1 The Council has established a Standards Committee, whose primary purpose is to advise on and promote good standards of conduct amongst members, including the provision of training and good practice guidance.
- 3.2 The Standards Committee comprises four members who are not councillors (the independent members) and six members of the Council (who shall not be the Mayor or members of the cabinet). In the Municipal Year 2010/11, Mr Lawrence Greenberg (Chairman), Mr Geoffrey Mills (Vice–Chairman), Dr Elliot Finer and Mr Simon James served as independent members. All independent members are entitled to vote at meetings
- 3.3 Full Council appoints the independent members in accordance with the Council’s constitution.
- 3.4 On 30 June 2010, Council agreed (Minute 31 refers):
- (1) to endorse the recommendation of the Appointment Panel that the membership of the Standards Committee be increased from three independent members to four with immediate effect.
 - (2) to endorse the recommendation of the Appointment Panel that Dr Finer and Mr James be appointed as independent members of the Standards Committee, subject to references, to fill the current vacancies in accordance with the Council’s Constitution for a period of four years (May 2014), subject to the review detailed in (3) below.
 - (3) that the number of independent members on the Standards Committee be reviewed by Council at the end of this Municipal Year.
- 3.5 Council is therefore asked to consider the current number of independent members on the Standards Committee, in accordance with the above decision.
- 3.6 The membership of the Standards Committee’s independent members is on a rolling basis. The current membership is listed below.

<u>Name</u>	<u>Term of Office Ends</u>
Mr Lawrence Greenberg	Ending May 2012
Mr Geoffrey Mills	Ending May 2011
Dr Elliot Finer	Ending May 2014
Mr Simon James	Ending May 2014

4. MEMBERSHIP CONSIDERATIONS

4.1 In December 2010 the Government published its Localism Bill. The Bill if enacted would remove the requirement for the Council to have a Standards Committee and the current legal framework for the Code and dealing with complaints. This would be replaced by a voluntary code and criminal offences for councillors not registering or declaring their interests. Councils will still be required to promote and maintain high standards of conduct.

Until then the current Code remains in place and the Standards Committee will continue to perform its functions and consider any complaints that are received until that role officially ends in late 2011 or early in 2012. The Council will then decide how high standards of conduct by councillors will be maintained in the future and how the new arrangements for registering and declaring interests and a voluntary code of conduct shall be implemented.

4.2 Council agreed that the number of independent members on the Standards Committee should be reviewed at the end of this Municipal Year when Geoffrey Mills (independent member) period of office ends in May 2011.

4.3 In view of the implications arising from the Localism Bill, Council is recommended that the membership of the Standards Committee be decreased from four independent members to three in the new municipal year 2011/12.

4.4 As the Localism Bill progresses through Parliament, the Standards Committee will focus on the emerging changes to the standards regime and will be considering what a future approach could look like and make recommendations to Council on this matter.

4. ALTERNATIVE OPTIONS CONSIDERED

No other options have been considered as the action taken is in accordance with the Council's decision taken on 30 June 2010 (Minute 31 refers).

5. REASONS FOR RECOMMENDATIONS

This recommendation responds to a request from Council. Only full Council can agree the number of independent members.

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

There are no financial implications arising from the proposals described in this report.

6.2 Legal Implications

The Council is required under section 53 of the Local Government Act 2000 to have a Standards Committee, with at least one member independent of the Council.

Secondary legislation governs more detailed aspects, such as appointments, and the Council's Constitution also covers procedural matters. The independent members were appointed in accordance with the provisions of The Relevant Authorities (Standards Committee) Regulations 2001.

7. KEY RISKS

7.1 The independent members on the Standards Committee provide independence, additional expertise, and provide an opportunity for the community to play an enhanced role in the governance of the Council. There are no risk implications from reducing the number of independent members on the committee down from 4 to 3 as there will still be sufficient capacity to meet the requirements under the statutory framework.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Strong Communities

The independent members strengthen the community representation role on the Standards committee and the role the community plays in the ethical governance of the authority.

Background Paper

Report to Council on 30 June 2012 (Report No.19) on Standards Committee – Increased Membership