

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

25 November 2010

AUTHOR/S: Executive Director (Corporate Services) / Acting Legal and Democratic Services Manager

APPOINTMENT OF PARISH COUNCIL MEMBER TO THE STANDARDS COMMITTEE 2010-14

Purpose

1. To seek Council's co-option to the Standards Committee of the parish council candidate identified for appointment by a ballot of South Cambridgeshire parish and community councils and meetings.
2. This is not a key decision but has been brought to Council because only the full Council may co-opt members to any constituent body of the authority (other than the Scrutiny and Overview Committee).

Recommendations

3. That Council resolve to co-opt Councillor Alan Brett, Melbourn Parish Council, to the Standards Committee as a parish council member for four years, 2010-14. Councillor Brett has provided a brief biographical note for the information of Council, which is appended to this report.

Reasons for Recommendations

4. The recommendation shows Council agreement to the results of the ballot of South Cambridgeshire parish and community councils and meetings to identify their representative.

Background

5. Where an authority has a responsibility for parish council matters, it is a legislative requirement that the Standards Committee have at least one parish council representative. Any committee or panel meetings considering parish council matters are required to have at least one parish council member present to be quorate.
6. The role of the Standards Committee has transformed dramatically since its initial establishment in 2000, and in 2008 it assumed responsibility for the initial assessment of all misconduct allegations. The Committee is also responsible for directing the investigations for, and final determination of, most allegations, with Standards for England retaining responsibility only for assessing and investigating the most serious misconduct allegations. Given the large numbers of parish councillors in South Cambridgeshire, all of whom fall within the remit of the Standards Committee, the workload for this committee has increased greatly, and the Council has responded by increasing the size of the Standards Committee to ensure that the workload is evenly spread.
7. Until current legislation is repealed and new legislation is enacted, the responsibilities of the Standards Committee remain unchanged. The Decentralisation and Localism

Bill will, by the end of 2011, abolish Standards for England and will see allegations of breaches of a new Code of Conduct dealt with by the courts as criminal offences. It is possible that an expansion of the responsibilities of the Local Government Ombudsman will see parish council matters referred to his office. What role, if any, for local Standards Committees is unknown at the time of publication of this report.

8. This Council's procedure for recruitment of parish council members also has a clear job description and guideline person specification listing those qualities which might be beneficial to a person serving on the Standards Committee. An exercise conducted during the summer of 2010 saw Councillor Iain Booth, Cambourne Parish Council, elected by the parishes for co-option by the District Council; however, a change in his employment limited his ability to attend any Standards Committee or sub-committee meetings and he withdrew his name before the formal co-option.
9. A second request for nominees was sent to all parishes on 22 July 2010 and four names were put forward. Ballots were issued to all parishes on 27 September 2010, with a return deadline of noon on Friday 22 October 2010. The Chief Executive counted the ballots and declared that Councillor Alan Brett, Melbourn Parish Council, had been elected as the parish councils' nominee for co-option.

Options

10. To co-opt the candidate as identified by the parish council ballot, bringing membership of the Standards Committee to nineteen, of whom seven would be council members, four would be parish members and eight would be independent members. Training of the new parish council member will be undertaken before the 8 December 2010 Standards Committee meeting.
11. Not to co-opt the candidate identified by the parish council ballot. This would not leave the Council in breach of the legal requirement to have at least 25% independent membership and one parish council member, but could require the continuing parish council member to undertake a greater proportion of the Committee's workload, increasing the risk of conflicts of interest arising.

Implications

12.	Financial	As part of the Members' Allowances Scheme, parish council members receive a co-optees' allowance of £220 per annum and are eligible to claim the same for travel, subsistence and carers' expenses as members of the Council. Other than inflationary adjustments, this amount has remained unchanged since their introduction on 1 April 2004. An independent panel reviews the Scheme annually and the final agreement rests with Council.
	Legal	The Standards Committee is required by statute to have parish council representation at any meeting considering parish council matters. The Constitution requires the Standards Committee to have 'at least three' parish members.
	Staffing	None specific.
	Risk Management	It is also legislative requirement that a parish council member be present for any meetings considering parish council matters. Having a greater number of parish council members reduces the risk of meetings becoming inquorate or of conflicts of interest arising.

Equality and Diversity	None specific.
Equality Impact Assessment completed	No. Process is open to all serving parish and community councillors in South Cambridgeshire.
Climate Change	Training sessions are arranged for all members of the Standards Committee, including training on hearings panels and procedures, and most training is held either immediately before or after a Standards Committee meeting to minimise travel, and the majority of independent and parish council members car share.

Consultations

13. South Cambridgeshire parish and community councils and meetings via ballot, resulting in the election of Councillor Brett as the nominee for co-option.

Effect on Strategic Aims

14. Making South Cambridgeshire a place in which residents can feel proud to live: the Standards Committee has an important role to play in the promotion and maintenance of high standards of conduct.
15. Providing a voice for rural life: The Standards Committee works with neighbouring authorities and the Cambridgeshire and Peterborough Association of Local Councils (CPALC) to offer training and advice to district and parish councillors.
16. Customer Service: Names and contact information of Standards Committee members are published on the Council's website, and committee members may act as a point of contact for members of the public seeking advice about ethical standards in local government.

Conclusions / Summary

17. The parish council member candidate has received the support of South Cambridgeshire parish and community councils and meetings. Council is asked to co-opt Parish Councillor Alan Brett onto the Standards Committee for four-year terms, 2010-14.

Background Papers: the following background papers were used in the preparation of this report:

Appointments of Independent and Parish Council Members – Monitoring Officer's Reports to Council 22 November 2001, 28 September 2006, 22 July 2010
 Local Government Acts 2000, 2003
 Relevant Authorities (Standards Committee) Regulations 2001
 Standards Committee (England) Regulations 2008
 SCDC Constitution
 Standards for England Guidance on Standards Committees
 "Corrupt councillors will go to court not Standards committees" Communities and Local Government press release, 20 September 2010
 Hansard (House of Commons Debates), 21 October 2010

Contact Officer: Holly Adams – Democratic Services Team Leader
 Telephone: (01954) 713030