

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Standards Committee

11 June 2008

AUTHOR/S: Chief Executive / Democratic Services Officer

APPOINTMENT OF PARISH MEMBERS

Purpose

1. To consider the progress of the current procedure for Parish Council member appointments to Standards Committee in light of the recently published Standards Committee (England) Regulations 2008, (the Regulations). The Regulations impose a duty on Standards Committee to establish panels with at least one Parish Council Member. Standards Committee may have difficulty in fulfilling its legislative requirements without further appointments of Parish Council Members to Standards Committee.

Background

2. On 20 February 2008 the Standards Committee confirmed the existing procedure as described in Article 9 of the Constitution and the procedure was initiated to fill a forthcoming vacancy. The deadline for nominations was set for 6 June 2008. Nominations will then sent to all parish Councils and Meetings with a single ballot paper for that parish Council or meeting to record its single ballot. The deadline for receipt of ballot papers is 11 July 2008.
3. The Monitoring Officer will be able to confirm the number of nominations received at the meeting.

Considerations

4. The Committee is recommended elsewhere on the agenda to establish 4 sub-committees (Panels); an Assessment Panel, a Review Panel, an Investigation Reports Panel, and a Hearings Panel. These panels must each have a Parish Council Member present when considering an alleged breach of the Code of Conduct by a Parish Councillor
5. A member of the Assessment Panel must not sit on the Review Panel. There are only two Parish Council Members on Standards Committee, therefore a declaration of a prejudicial interest by a Parish Member could compromise the review process.
6. It is recommended that the members of each Panel are appointed for a particular period (eg 1 year), as opposed to a "floating" or "pool membership" and members change roles at the end of that period. This would obviously require the appointment of a further two Parish Council Members to Standards Committee.

Options

7. The options available to Standards Committee are dependent upon the number of nominations received from parishes.

Under the current procedure two nominations would trigger the ballot amongst parishes, when two Parish Councillor member appointments are required.

Should there be more than two nominations then the ballot procedure would be triggered.

Implications

8.	Financial	None Specific
	Legal	The Authority will be unlikely to fulfil its obligations set down by statute without strengthening Standards Committee
	Staffing	Appointment procedure is within existing resources
	Risk Management	Failure to determine Assessments, Reviews, Hearings within deadlines
	Equal Opportunities	None specific

Effect on Corporate Objectives and Service Priorities

9.	Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future
	None specific
	Deliver high quality services that represent best value and are accessible to all our community
	None specific
	Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work
	None specific

Conclusions/Summary

10. Standards Committee should increase Parish Councillor representation to be better able to cope with the Local Assessment of Complaints workload.

Recommendation

- 11.
- (a) That the ballot procedure is only triggered by three nominations or more, and
 - (b) should the ballot procedure not be triggered, then those nominees be appointed Parish Councillor member/s to Standards Committee.

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

SCDC Constitution,
 Appointment Procedure For Parish Council Members as reported to Standards Committee 20 February 2008,
 Local Assessment of Complaints Guidance booklet of the Standards Board for England.
 SBE Guidance: "The Role and Make-up of Standards Committees" (May 2008)

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