

Council

Standards Committee Independent Member – Extension of Term of Office

8 December 2011

Report of Head of Law and Governance / Monitoring Officer

PURPOSE OF REPORT

To seek approval of the extension of the term of office of Kenneth Hawtin, Independent Member of the Standards Committee.

This report is public

Recommendations

The Council is recommended:

- (1) To approve the continued appointment of Kenneth Hawtin as an Independent Member of the Standards Committee until the Council makes a decision on the future of the Standards Committee in light of the Localism Act 2011.

Executive Summary

Introduction

- 1.1 Through the Localism Act 2011, when the relevant sections come into force, the Standards Board/Standards for England regime will be abolished and local authorities will be required to draw up their own Codes of Conduct, and introduce “arrangements” to deal with complaints of breach of the code. These requirements differ to the existing arrangements and a decision of Council will be required at the appropriate future time to agree the arrangements to be put in place at Cherwell District Council.
- 1.2 The Standards Committee will meet in early 2012 to consider the future arrangements and to make recommendations to Council accordingly. Until such time as Council makes a decision, the current arrangements for the Standards Committee, as set out in the Council’s Constitution, remain in place.
- 1.3 The Constitution requires that at least 25% of the Standards Committee should be made up of Independent members (four Members). In May 2010,

Council reviewed the terms of office of the Independent Members. At that time it was agreed that the appointment of Mr Kenneth Hawtin would expire at the end of 2010/11. This was not extended as it was anticipated the standards regime would be abolished as set out in the draft Localism Bill published in December 2010.

- 1.4 However, the Bill was amended as it passed through Parliament, and the Standards Committee will need to meet again to make recommendations. To ensure the meeting complies with the Constitution the Committee will need to be composed of four independent members.

Proposals

- 1.5 To confirm that Kenneth Hawtin, originally appointed in January 2009 for an initial two year term, continues as an Independent Member of the Standards Committee until the Council makes a decision on the future of the Committee in light of the Localism Act 2011.

Conclusion

- 1.6 Until the Council makes a decision on the future of the Standards Committee in light of the Localism Act 2011 the current arrangements remain in place and it is necessary for the number of Independent members to be at least 25% of the total membership of the committee.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 Under the existing arrangements for Standards Committees, at least 25% of the Members must be independent. If the appointment of Kenneth Hawtin is not extended, the Committee would not be able to meet and make recommendations to Council on a revised Code of Conduct and future arrangements for standards in the district.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One	Accept the recommendations as drafted
Option Two	Amend the recommendations
Option Three	Reject the recommendations

Implications

Financial: The costs for the four Independent members are contained within the budget and have been included in the

savings attributed to the Democratic Services Value for Money Review.

Comments checked by Sarah Best, Service Accountant, 01295 221982

Legal:

Until the new standards arrangements are put in place, it is a legal requirement that the Standards Committee has a minimum 25% Independent members.

Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 221587

Risk Management:

There are no risk implications to this report

Comments checked by James Doble, Democratic, Scrutiny and Elections Manager 01295 22158

Wards Affected

All

Document Information

Appendix No	Title
None	
Background Papers	
	Local Standards Framework Guide for authorities
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