

## OPEN REPORT



## **Chester-le-Street** District Council

<b>Report to:</b>	Council
<b>Date of Meeting:</b>	27 September 2007
<b>Report from:</b>	Head of Legal & Democratic Services
<b>Title of Report:</b>	Appointment to vacancies for Independent Members on the Standards Committee
<b>Agenda Item Number:</b>	<b>12</b>

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### **1. Purpose and Summary**

- 1.1 The purpose of this Report is to seek Council approval to appoint two people to fill the two vacancies for Independent Members on the Standards Committee and to appoint a third person as a standing reserve Independent Member, necessitating a consequential minor amendment to the Constitution.
- 1.2 The Council at its meeting in December 2006 decided that the terms of office of Independent Members should be for an initial period of four years and so it is recommended that the appointments should be for a four year period running from the date of appointment.

### **2. Consultation**

- 2.1 The Council placed an advertisement for the two vacancies in the Evening Chronicle inviting expressions of interest to be received by 5 August 2007.

### **3. Corporate plan and Priorities**

- 3.1 The ethical framework underpins the work of the District and Parish Councils and thereby supports the various corporate plans and priorities.

## **4. Implications**

### 4.1 Financial Implications and Value for Money Statement

4.1.1 The cost of induction of new members and of financial claims in respect of their duties can be met from existing budgets.

### 4.2 Legal

4.2.1 The District Council is obliged to have a Standards Committee which exercises responsibilities in respect of both the District Council and all parish and town councils within its area. There are currently eleven parish councils and no town councils in the District.

### 4.3 Personnel

There are minimal implications and can be met from existing staff resources.

### 4.4 Other Services

There are minimal implications

### 4.5 Diversity

There are no implications arising from this Report.

### 4.6 Risk

4.6.1 Where a Standards Committee consists of more than three members, at least 25% of the membership of the Standards Committee must be Independent Members. In addition, there must be at least one Independent Member present at each meeting otherwise the Standards Committee would be inquorate and unable to fulfill its statutory duties.

4.6.2 With the anticipated local referral of complaints due to take effect from April 2008, it will more than ever important to have an experienced and full complement of members. Appointment of all three would be a step towards meeting this extended role.

### 4.7 Crime and Disorder

There are no implications arising from this Report

#### 4.8 Data Quality

Every care has been taken in the development of this Report to ensure that the information and data used in its preparation and the appendix attached is accurate, timely, consistent and comprehensive. The Council's Data Quality Policy has been complied with in producing this Report.

#### 4.9 Other Implications

None

### **5. Background , Position Statement and Option Appraisal**

5.1 The ethical framework was created under Part III of the Local Government Act 2000 and section 53(1) of that Act requires the Council to have a Standards Committee.

5.2 The makeup of a Standards Committee is subject to statutory control. At least 25 % of the membership must be Independent Members.

5.3 Sadly the Rev Elliot Davidson died in January 2007 and David Fisher has decided to retire and therefore two vacancies have arisen for Independent Members.

5.4 Three people have applied to serve on the Standards Committee as Independent Members, namely Ms Gill Stephenson, Ms Leigh Henderson and Mr. Jim Armstrong.

5.5 There are only two vacancies. However, given the future work demand arising from the anticipated local referrals as from April 2008 and the need to prepare for implementation, I feel that it would be wise to increase capacity.

5.6 Capacity can be increased without altering the carefully agreed membership balance accepted previously by the Council. The cost of recruitment and the inevitable delays can be avoided by having a reserve to step into the breach and indeed where an Independent Member is temporarily unable to attend (e.g. through work commitments) a particular meeting then the risk of a particular meeting being inquorate can be reduced by having the reserve attend. I therefore recommend the creation of a reserve Independent Member position and a consequential amendment of the Constitution to facilitate this.

5.7 All three applicants are, in my view, worthy of appointment and the issue is who should be appointed to the two vacancies and who should act as the standing reserve.

- 5.8 Gill Stephenson is an experienced former parish clerk and also a former parish councillor having served on Great Lumley Parish Council. She also is a former Parish Representative on the Standards Committee who left in May this year as a result of her decision not to stand for re-election as a parish councillor. There is nothing in law to prevent a former parish councillor from being appointed to serve as an Independent Member and indeed her wealth of experience would be an asset to local government. I therefore recommend to the Council that Ms Stephenson be re-appointed to the Standards Committee but in the capacity of an Independent Member for a period of four years from 27 September 2007.
- 5.9 Leigh Henderson comes with a manufacturing management background and was appointed by the Council to serve on the Independent Remuneration Panel to which I have provided administrative support. She is keen to serve her local community and her background would bring further welcome diversity to the Standards Committee. I therefore recommend to the Council that Ms Leigh Henderson be appointed to the Standards Committee in the capacity as an Independent Member for a period of four years from 27 September 2007. Should this recommendation be accepted, then a vacancy will arise on the Independent Remuneration Panel.
- 5.10 Jim Armstrong has a long career in public service and was also appointed by the Council to serve on the Independent Remuneration Panel. He too is keen to serve his local community by serving on the Standards Committee. I therefore recommend to the Council that Mr. Jim Armstrong be appointed to the Standards Committee in the capacity as an Independent Member (Reserve Member) for a period of four years from 27 September 2007. Should this recommendation be accepted, then a vacancy will arise on the Independent Remuneration Panel.

## **6. Recommendations**

- 6.1 That the Council re-appoints Gill Stephenson to serve on the Standards Committee but in the capacity as an Independent Member for a four year period from 27 September 2007.
- 6.2 That the Council appoints Leigh Henderson to serve as an Independent Member on the Standards Committee for a four year period from 27 September 2007.
- 6.3 That the Council amends Article 9.2 (a) of the Constitution (Membership) so as to include a reserve Independent Member who only sits on the Standards Committee when one or more of the Independent Members is unable to attend a particular meeting for whatever reason.
- 6.4 That the Council, having agreed to so amend the Constitution, appoints to the said reserve position Mr. Jim Armstrong for a four year period from 27 September 2007.

**7. Background Papers/ Documents referred to**

- 7.1 Guidance on standards committees (May 2002) issued by the Standards Board for England

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