

Report to Council

Wednesday, 6 September 2023

By the Monitoring Officer

DECISION REQUIRED



Not Exempt

Appointment of Co-Opted Parish Representative to the Standards Committee

Executive Summary

This report seeks authority to appoint a Parish Representative to the Standards Committee to replace Parish Councillor Philip Baxter.

Recommendations

Council is recommended to:

- i) Appoint Councillor David Green of West Grinstead Parish Council to the Standards Committee as a Parish Representative for a term of office ending on the fourth day after the Local Elections in May 2027

Reasons for Recommendations

- (i) To fill the Parish Representative vacancy on the Standards Committee that was created following the retirement of Parish Councillor Philip Baxter, and,
- (ii) To satisfy the constitutional requirements in relation to the Standard Committee's composition.

Background Papers

Council Report dated 15 May 2012 and Article 8.1 of the Constitution.

Wards affected: (All Wards);

Contact: Lauren Kelly, Monitoring Officer

Background Information

1 Introduction and Background

- 1.1 The Standards Committee is made up of seven members, two independent persons and two parish representatives pursuant to the terms contained in the constitution.
- 1.2 The parish representatives are co-opted non-voting members to the Standards Committee and their role extends to advising the Standards Committee on parish matters.
- 1.3 The parish representatives are nominated by the Horsham Association of Local Councils (HALC).

2 Relevant Council policy

- 2.1 Local Authorities are obliged to have in place arrangements under which code of conduct allegations can be investigated and decisions on allegations made. Chapter 7 of the Localism Act 2011 refers.

3 Details

- 3.1 Parish Councillor Philip Baxter was previously appointed to the Standards Committee as a parish representative and did not stand for re-election in the May 2023 elections. Consequently, there now exists a vacancy on the Standards Committee.
- 3.2 Accordingly, HALC was contacted to nominate a new Parish Representative for appointment to the Standards Committee in order to fill the vacancy.
- 3.3 Parish Councillor David Green of West Grinstead Parish Council was nominated at HALC's annual meeting.

4 Next Steps

- 4.1 To approve the appointment of Parish Councillor David Green to the Standards Committee for a term expiring four days after the May 2027 elections.

5 Outcome of Consultations

- 5.1 The nomination was made by HALC which represents all Parish Councils in the District.

6 Other Courses of Action Considered but Rejected

- 6.1 A vacancy on the Standards Committee could not be held as the terms contained in the Constitution require that the Standards Committee consists of two co-opted parish council representatives.

7 Resource Consequences

- 7.1 Parish Representatives receive an allowance as recommended by the Independent Remuneration Panel. This appointment is within budget, as the allowance due is within the Members Scheme of Allowances.

8 Legal Considerations and Implications

- 8.1 Section 102(4) of the Local Government Act 1972 provides that Local Authorities may appoint such persons to committees for such term as may be determined by the appointing authority.
- 8.2 Otherwise, the legal implications have been incorporated into this report.

9 Risk Assessment

- 9.1 Should the recommendation not be approved, the composition of the Standards Committee would contravene constitutional requirements.

10 Procurement implications

- 10.1 There are no procurement implications.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 There are no equalities and human rights implications.

12 Environmental Implications

- 12.1 There are no environmental considerations.

13 Other Considerations

- 13.1 None.