

STANDARDS COMMITTEE – TASK GROUP

The Future Composition of Standards Committee

1. Background

- 1.1. The current Standards Committee has a mixture of District, Parish and Independent members under a Legislative framework which came out of the Local Government Act 2000. The Committee therefore has a variety of views and experience both inside and out side the Council.
- 1.2. The Localism Act 2011 proposes major changes to the Standards regime which has already commenced with abolition of Standards for England and the development of new Codes of Conduct for District and Parish Councils. The Act repeals Section 55 of Local Government Act 2000 so that there is no requirement for a Standards Committee but with a duty in the Act to 'promote and maintain high standards of conduct' it is considered that a Standards Committee ought to remain.
- 1.3. The 2011 Act means the composition of the Standards Committee will be governed by the proportionality rules applicable to the Council. Current co-opted members of Parish Councils and Independent members cease to hold office. A new position of an 'Independent person' is introduced who will be consulted by the Monitoring Officer but is not a co-opted or voting member of the Committee.
- 1.4. As a result and in order to ascertain the most appropriate operational composition of the Standards Committee a number of options arise.

2. Options for Standards Committee: Composition

- 2.1. The table overleaf indicates six possible options for the composition of the Committee. The Task Group should note the following:-
- 2.2.(a) 'Proportional' means in accordance with the Local Government Acts and Regulations requiring that all committees must reflect the political composition of the Council as a whole.
- 2.2.(b) 'Balanced' is used to cover the situation where the full Council votes to disapply the proportionality rules. It requires all members attending the particular meeting to agree with the proposals with none voting against or abstaining. Following agreement the Committee is composed of equal members of all political parties represented on that Committee.
- 2.2.(c) 'Joint Committee' refers to a Committee set up under the provisions of S102 of Local Government Act 1972 for the discharging of any functions of one or more Councils. This would require a resolution of Council and similar support from the Parishes which might prove a logistical problem.
- 2.2.(d) 'Advisory Panel' is essentially a support/advising body made up of non-voting and generally co-opted members who may make non-binding

recommendations/suggestions to a Committee/body within the Council. The Committee may accept or ignore the recommendation/suggestion

- 2.3. There are other combinations but the six options identified pick up most of the areas in which members had an interest.

3. Action

- 3.1. The Task Group is asked to consider the options and make a recommendation to Standards Committee for consideration and from there to full Council in May 2012.

NOTE:- The Task Group recommended that an Advisory Panel comprising eight Members feeding into a proportional Standards Committee of six District Councillors and two co-opted Parish Representatives would be the appropriate model for West Berkshire.

	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
No of Members	8	6 (2 co-optees)	8	9	12	8
Political make-up	6 Con 2 LD	4 Con 2 LD 2 PC (co-opted)	4 Con 4 LD	3 Con 3 LD 3 PC	3 Con 3 LD 3 PC 3 Independent	2 Con 2 LD 2 PC 2 Independent
Type	Proportional	Proportional	Balanced	Joint Committee (S102 LGA '72)	Current Provision	Advisory Panel
PROS	<ul style="list-style-type: none"> In accordance with 2011 Act and early Legislation Consults IP Possible 2 sub-committees to deal with process 	<ul style="list-style-type: none"> In accordance with 2011 Act and early Legislation Input from Parish on parish complaints Better public view Balanced advisory subs? 	<ul style="list-style-type: none"> Provides equal input from both parties Reduces politicisation Two balanced sub-committees if needed 	<ul style="list-style-type: none"> Balanced More PC impact therefore involvement PC input on PC matters Balanced sub-committee All members vote Better public perception 		<ul style="list-style-type: none"> Outside committee structure Provides balanced advice Gives transparency
CONS	<ul style="list-style-type: none"> WBC centric No external input Public perspective (judging themselves) What's in it for PC's 	<ul style="list-style-type: none"> PC co-optees = non voting Still judged as looking after selves Which PC's represent all those in district No PC take up as little influence 	<ul style="list-style-type: none"> Appears WBC centric Not in accordance with 2011 Act (but complies with other regs) Need full Council vote 	<ul style="list-style-type: none"> Not 2011 Act compliant Need full Council vote for equalisation All PC's need to give delegation to Joint Committee Could be logistically problematic in current time frame PC's no need to agree with outcomes 	<ul style="list-style-type: none"> Illegal if existing Independents on (ACSeS Counsel's opinion) 	<ul style="list-style-type: none"> Non voting Makes recommendations only Not necessarily influential

