

Committee: STANDARDS

Agenda Item

Date: 21 March 2011

5

**Title: APPOINTING OF TOWN AND PARISH
REPRESENTATIVES**

Author: Michael Perry, Assistant Chief Executive – Legal, 01799 510416 Item for decision

Summary

1. This report is to inform members of alternative methods of appointing town and parish representatives and to seek members view as to whether the current system should be retained or whether an alternative should be recommended to the council for consideration.

Recommendations

2. Members determine whether or not to recommend an alternative method of appointment of town and parish representatives to the council.

Financial Implications

3. None.

Background Papers

4. The following papers were referred to by the author in the preparation of this report.
 - The Standards Forum (this is a subscription only website but the relevant extracts are referred to below).

Impact

- 5.

Communication/Consultation	In the event that members do decide to make a recommendation to Full Council the Uttlesford Association of Local Councils should be consulted.
Community Safety	None.
Equalities	None.
Health and Safety	None.
Human Rights/Legal	It is a requirement that a representative of town or parish councils should sit on any

Implications	committee considering matters relating to such councils.
Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

6. By virtue of the Local Government Act 2000 and subsidiary legislation thereunder local authorities are required to establish Standards Committees. It is a requirement that when a Standards Committee considers matters relating to town and parish councils at least one member of that committee should be a representative from the town and parish councils within the district who is not also a member of the district council. In practice this authority has three town and parish representatives on the Standards Committee. The role of those members is as a full member of the Standards Committee and they are not limited to merely dealing with matters relating to town and parish councils.
7. Since the Standards Committee was formed the council has sought nominations to fill vacancies on the Standards Committee from the Uttlesford Association of Local Councils. That association has selected the individual or individuals required to fill the vacancies on the committee and such nominations have been ratified by Full Council.
8. Research on the Standards form has indicated that some authorities adopt a different procedure for making such appointments. Alternatives which are used elsewhere are as follows.
9. Rather than being nominated by the Local Association of Local Councils that association carries out a ballot of its own members and the council appoints the nominee.
10. A district council seeks interest for parish membership through its Association of Local Councils and invite interested parish members to submit an application form to the district council. These are vetted by a sub-committee panel of Standards Committee members who prepare a short list, interview the short listed candidates and then make a recommendation to Full Council.
11. A variation on the above would be to circulate all town and parish councils when a vacancy arises and to invite expressions of interest direct to the district council before adopting the selection procedure referred to in paragraph 10 above.
12. In considering whether to make a recommendation to the council, members of the Committee should bear in mind that there is no wish to replace the existing town and parish representatives who are experienced and valued members of the committee. Any procedure would therefore only apply in the event of a

vacancy occurring by virtue of one of the current members failing to secure re-election or resigning from his council or from the Standards Committee.

Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
The council is unable to appoint town or parish members to the Standards Committee.	1, given the number of town and parish councillors within the district it would be an extraordinary event if a vacancy was not capable of being filled.	3, if there were no town or parish representatives the council would be unable to fulfil its statutory obligations with regard to town and parish councils	Members determine the method of appointment which is most likely to secure a quick appointment in the event of a vacancy arising.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.