

Report to: Council, Standards Committee

Date: 3 September 2008 23 September 2008

Subject: Independent Members of the Standards Committee - Proposed Renewal of Membership

Report of: Service Director Borough Solicitor

Contact officer: Kevin Lawson (Telephone: 01942) 244991 extension 2026

Purpose / summary: To invite Council to renew the membership of three independent members of the Standards Committee for the terms now indicated

Alternative options considered and reason for selecting the one recommended: Not to renew the membership of these members and seek applications for replacements

Recommendation / decision:

- Renew the membership of David Lea and Roland Kidd for a period of 3 years from 1st September 2008
- Renew the membership of Graham Wood for a period of up to 1 year and authorise the Service Director Borough Solicitor to advertise for a replacement independent member to ensure that the full independent membership of the Standards Committee is maintained.

Key Decision: This report does not involve a key decision.

Risks / Implications:

Financial:	None
Staffing:	None
Policy:	None
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	These appointments were originally made in accordance with statutory provisions
Wards affected:	All

Property Implications– Does the proposal involve a reduction, addition or

change to the Council's asset base or its occupation?

No

Does this proposal have significant implications for the Council and the local population?

No

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

No

Has the Service Director Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? **Yes**

Has the Director of Finance and IT confirmed that any expenditure referred to within this report is consistent with the Council's budget? **Yes**

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **No**

For Cabinet reports only :

Categorisation of the report:	X
Discussion leading to a decision	
Monitoring	
Sharing for corporate understanding	

	X
Discussion	
Decision	
Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
			3 rd September 2008

List of Background Papers in accordance with Section 100D of the Local Government Act 1972:

Document	Date	File Reference	Place of Inspection
Minutes of Council Meeting	12 th July 2006		Town Hall, Wigan
Guidance issued by Standards Board for England			Town Hall, Wigan

Proper Officer
Date

Kevin Lawson
28.8.08

BACKGROUND

1. At its meeting on 12th July 2006 Council agreed to extend the period of office of three of the five independent members of the Standards Committee for a period of two years until the end of August 2008. This report recommends that the period of office of the three individuals again be extended but for different periods.
- 2.1 Under the Constitution there are five independent members of the Standards Committee who have been appointed at different times and for different terms over previous years. Three of the terms of the independent members expire at the end of August 2008.
- 2.2 David Lea and Roland Kidd were initially appointed at the end of August 2003 for a 3 year which was extended in July 2006 for a further 2 years until the end of August 2008.
- 2.3 Graham Wood was initially appointed in 2000 for a 3 year term which was renewed in 2003 for a further 3 year term and in July 2006 for a further 2 years expiring at the end of August 2008.
3. Guidance issued by the Standards Board for England recommends that independent members of the Standards Committee should not normally serve for longer than two terms or 8 years. This is on the basis that the terms should be long enough for the members to gain an understanding of the Committee and the issues but not so long that they could be perceived as losing their independence.
4. In the case of David Lea and Roland Kidd then while those members have had two terms already, those terms only total 5 years. They have gained experience of the Council and standards issues and that experience will be required under the new Local Assessment Procedures which have placed greater responsibilities on the Standards Committee. It is therefore recommended that in these two cases the independent members are re-appointed for a term of 3 years bringing their total length of membership to a possible 8 years.
5. In the case of Graham Wood his total membership does already amount to 8 years. In taking account of the guidance from the Standards Board for England, which although not binding is influential, the Council should consider carefully any extended membership.
- 6.1. Graham Wood is the Chair of the Standards Committee and does have considerable experience of the Council and the issues facing the Standards Committee. The Local Assessment of complaints which came into effect in May of this year is placing pressures on the Standards Committee and Mr. Wood's experience is of great assistance at this time. Mr. Wood has offered to stay on for a limited period to assist the Committee and any new future Chair. A lengthy extended renewal period does seem inappropriate and accordingly it is recommended that Council considers an extension of up to 1 year on the basis that at an early stage steps are taken to advertise and seek a replacement independent member to replace Mr. Wood. During that period it is anticipated that Mr. Wood would support the appointment of and the

development of a prospective new independent Chair of the Standards Committee.

6.2. This recommendation does maintain the full membership of the Standards Committee and is considered to be in the best interests of the Council.

RECOMMENDATION

It is therefore recommended that the Council

- renew the membership of David Lea and Roland Kidd for a period of 3 years from 1st September 2008
- renew the membership of Graham Wood for a period of up to 1 year and authorise the Service Director Borough Solicitor to advertise for a replacement independent member to ensure that the full independent membership of the Standards Committee is maintained.

K.P. Lawson
Service Director Borough Solicitor

28.8.08

Y-694

Council – 3 September 2008 minute extract

37 (h) Standards Committee Independent Members: The Council considered a report that requested Council to renew the membership of three independent members of the Standards Committee for the following terms:-

- Mr D Lea for a period of three years from 1 September 2008;
- Mr R Kidd for a period of three years from 1 September 2008; and
- Mr G Wood for a period of up to one year.

Resolved: The Council agrees:-

- to renew the membership of Mr D Lea and Mr R Kidd for a period of three years from 1 September 2008;
- to renew the membership of Mr G Wood for a period of up to one year; and
- to authorise the Service Director – Borough Solicitor to advertise for a replacement independent member to ensure that the full independent membership of the Standards Committee is maintained.