

REPORT OF STANDARDS COMMITTEE

(Meeting held on 5 October 2001)

1. NEW STYLE STANDARDS COMMITTEE - LOCAL GOVERNMENT ACT 2000 (REPORT A) (MINUTE NO. 5)

The Committee has considered the effect of the first of a series of Regulations that deal with the setting up of new style Standards Committees under the provisions of the Local Government Act 2000. Regulations specifying how the Standards Committees will operate in practice, their responsibilities for monitoring the new Model Code of Conduct (including dealing with complaints against District and Parish Councillors), the role of the Monitoring Officer in member complaints and a number of other issues are still awaited, but in the meantime, principal councils need to reconstitute their Standards Committees to comply with the requirements of the new regulations.

The recently-enacted regulations require, amongst other things, -

- (a) Standards Committees with more than three members to have at least 25% of their number to be independent members (i.e. members totally independent of the authority). Relatives or close friends of any member or officer of the authority are ineligible to serve;
- (b) Not more than one member of the Executive may be appointed to the Standards Committee, and that member may not be the Executive Leader, nor may he or she chair the Committee;
- (c) At least one representative of Parish and Town Councils to serve on the Committee. Parish matters may be dealt with by the full Committee or by a Sub-Committee.

At least one independent member must be present to constitute a quorum of the Committee, and, similarly, there must be a parish or town council representative present when any matter affecting parish or town councils is discussed by the Committee.

The new regulations set out the process for the appointment of the independent members. This includes advertising for applicants, and for the appointments to be approved by the Council.

The Committee has carefully considered the requirements of the regulations and issues surrounding the future composition of the Standards Committee, and its recommendations appear below. Before the meeting of the Committee, the views of Parish and Town Councils on the issues affecting them were sought. Fourteen responses were received and these were taken into account by the Committee in arriving at its conclusions.

The Committee will report further to the Council on 17 December with recommendations for the persons to be appointed to the Committee. The new style Committee should therefore be constituted immediately following the next meeting of the Council.

The Committee has noted that its future role will be a demanding one, responsible with the Council's Monitoring Officer for upholding the highest standards of conduct throughout the District, including standards within Town and Parish Councils. Apart from dealing with complaints against members of the District and Town & Parish Councils, the Committee, together with the Monitoring Officer, will be responsible for overseeing the whole probity and ethical framework for local government within the District. This will of necessity include training for all District and Parish/Town Councillors. Close working with the Parish and Town Councils is proposed.

There will be resource implications arising from the extended role of the Standards Committee and an expenditure plan bid for additional employee resources is being made through the expenditure plan process.

RECOMMENDED:

- (a) That the Standards Committee continue to comprise 8 members;**
- (b) That two independent members be appointed to serve on the Committee;**
- (c) That two representatives of Parish and Town Councils be appointed to the Committee;**
- (d) That the New Forest District Association of Parish and Town Councils be requested to nominate two representatives, one from the larger and one from the smaller parish/town councils in the District, for appointment by the Council;**
- (e) That parish matters be dealt with by the full Standards Committee and not by a Sub-Committee;**
- (f) That the remaining four District Council places on the Standards Committee be allocated to the political groups as follows:**

**2 Conservative
1 Liberal Democrat
1 Independent**

2. MEMBERS' ALLOWANCES SCHEME - REVIEW (REPORT B) (MINUTE NO. 6)

Members of the Council will recall that when the current scheme of members' allowances, tailored to the new political decision-making arrangements, was adopted, the Council requested that the scheme be reviewed after six months. Subsequently, on 23 April 2001, the Council resolved that the review be deferred until further experience of the new political structures had been gained.

New Members' Allowances Regulations that came into force on 4 May 2001 require District Councils to set up Independent Remuneration Panels to report before any changes may be made to schemes of Members'

Allowances. The Committee has delegated authority to commission reports from the Remuneration Panel and has agreed the steps to set up a Panel to make recommendations for any changes the Council might wish to make to the Scheme from May next year.

The Committee is of the view that the basic structure of the current scheme is sound, but that some individual allowances might need revision. It is hoped that it will be possible, arising from the pending review, to include provision for the automatic uprating of allowances, perhaps by the amount of the employees' pay award or by inflation, to minimise the cost of Independent Remuneration Panels in future years. While lengthy meetings of the Panel might not be necessary each year, it is clear that the Government wishes Independent Remuneration Panels to build up experience and expertise of the roles of Councillors and to keep up to date with any changes. There are also suggestions in recent consultation papers (see items 3 and 4 below) that District Councils' Independent Remuneration Panels will be required to report on pensionable allowances for District Councillors, and proposed allowances for Parish and Town Councillors.

The Panel that will be set up soon is unlikely to meet before January 2002, by which time it is hoped that members of the Council will feel that sufficient experience of the new structures has been gained to facilitate the review of the scheme. While it will be for Panel to decide how to assess members' views of the current scheme and any suggested changes, the Committee will endeavour to ensure that all members of the Council have an opportunity to express their views for consideration by the Panel.

3. PENSIONS FOR ELECTED MEMBERS OF LOCAL AUTHORITIES - CONSULTATION PAPER (REPORT C) (MINUTE NO. 7)

The Committee has considered a consultation paper on Government proposals to make the allowances payable to certain elected members of local authorities pensionable. The Government's proposal is that the allowances to members of a local authority's executive and the chairmen of its overview and scrutiny committees who have been appointed for a period of at least six months, be eligible for pensionable remuneration through the Local Government Pension Scheme. Before making allowances pensionable, local authorities would have to receive a recommendation from its Independent Remuneration Panel.

The Committee does not consider it appropriate for members' allowances to be pensionable, and has responded in this vein to the consultation paper. However, if allowances are to be pensionable, the Committee feels that there should be flexibility to Councils to determine which allowances may be regarded as pensionable. The Committee considers it inappropriate for the Government to prescribe those allowances that may be pensionable and those allowances that may not.

4. TRAVEL, SUBSISTENCE AND CERTAIN OTHER ALLOWANCES FOR MEMBERS OF LOCAL AUTHORITIES AND OTHER BODIES - CONSULTATION PAPER (REPORT D) (MINUTE NO. 8)

Acting under its delegated powers, the Committee has responded to a consultation paper from the Department for Transport, Local Government and the Regions (DTLR) on the following issues -

- (a) Travel and subsistence allowances for elected members of principal authorities;
- (b) Allowances for co-opted and appointed members of principal authorities and for members of other bodies appointed or nominated by principal authorities;
- (c) Allowances for parish councillors;
- (d) Allowances payable by other authorities and certain bodies such as Fire Authorities and the Broads Authority;
- (e) The duties for which special responsibility allowances may be paid.

Copies of the response agreed by the Committee have been circulated to all members of the Council. Some of the changes proposed by the DTLR, notably those with regard to travel and subsistence allowances and the payment of allowances to members of parish and town councils, would require recommendations from the Independent Review Panel before they could be implemented. This would mean an additional workload for the Independent Remuneration Panel and additional cost. The Committee, in its response to the consultation, has raised the question of possible contributions by Parish and Town Councils to the cost of the Panel.

**Councillor J A G Hutchins JP
CHAIRMAN**