

**Report by the Head of Corporate & Legal Services  
Independent Chair of Standards Committee**

**1.0 Summary**

- 1.1 To consider the requirements of the Local Government Act, 2000 as amended by the Local Government & Public Involvement in Health Act, 2007 for the chair of the Standards Committee to be a person other than an elected Member or officer of a relevant authority.

**2.0 Recommendations**

- 2.1 To recommend to Council that in the new constitution the provision with regard to the Chairing of the Standards Committee is as follows:  
“The Chair of the Standards Committee and any Sub-Committee of the Standards Committee shall be a person who is not a member, or an officer, of that or any other relevant authority, where a “relevant authority” means –
- (a) a county council,
  - (b) a county borough council,
  - (c) a district council,
  - (d) a London borough council,
  - (e) a parish council,
  - (f) a community council,
  - (g) the Greater London Authority,
  - (h) the Metropolitan Police Authority,
  - (i) the London Fire and Emergency Planning Authority,
  - (j) the Common Council of the City of London in its capacity as a local authority or police authority,
  - (k) the Council of the Isles of Scilly,
  - (l) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
  - (m) a police authority,
  - (n) a joint authority established by PART IV of the Local Government Act 1985 ,
  - (o) the Broads Authority, or
  - (p) a National Park authority established under section 63 of the Environment Act 1995 .”
- 2.2 To recommend to Council that the current committee members who fall into the category of a person who is not a member, or an officer, of that or any other relevant authority be confirmed in their appointments as committee Members at the Annual Meeting of the Council for a period of one year and that they be appointed as chair and vice-chair of the committee for that period of time.
- 3.0. Background**
- 3.1 The Local Government Act, 2000 allowed Councils to decide whether the chair of the Standards Committee should be an elected Member or a person who is not a member, or an officer, of that or any other relevant authority.

- 3.2 Adur District Council considered that it was appropriate for the chair of the Standards Committee to be an elected Member.
- 3.3 The Local Government & Public Involvement in Health Act, 2007 has amended the Local Government Act, 2000 by inserting a requirement in Section 53(4) that the committee must be chaired by a person who is not a member, or an officer, of that or any other relevant authority.
- 3.4 The Council must, therefore, amend its constitution to implement this statutory amendment.
- 3.5 As the Council is in the process of re-writing its constitution this committee is invited to recommend to Council that as part of the revision this amendment is made.
- 3.6 The current committee members who fall into the category of a person who is not a member, or an officer, of that or any other relevant authority were not selected on the basis that one of them would have to be the chair of the committee.
- 3.7 It is proposed that, if the current committee members who fall into the category of a person who is not a member, or an officer, of that or any other relevant authority are willing, they be confirmed in their appointments as committee Members at the Annual Meeting of the Council for a period of one year and that they be appointed as chair and vice-chair of the committee for that period of time.

#### **4.0 Financial implications**

- 4.1 Currently the chair of the Standards Committee receives an allowance of £725, with the Vice-Chair's allowance being £362.50. However the Remuneration Panel is currently reviewing Members Allowances.
- 4.2 The Council must consider whether or not the chair and vice-chair of the standards committee should, in future, receive an allowance.

#### **Local Government Act 1972**

##### **Background Papers:**

Local Government Act, 2000

Local Government & Public Involvement in Health Act, 2007

Constitution of Adur District Council

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## **Appendix**

(To be completed on all reports. If no issues are identified under a heading then it should read "Matter considered and no issues identified." )

### **1.0 Council Priority**

1.1 Matter considered and no issues identified, although the conduct of Members does have an impact on the Council's priorities.

### **2.0 Specific Targets**

2.1 (A) Matter considered and none identified  
(B) Matter considered and none identified

### **3.0 Sustainability Issues**

3.1 Matter considered and no issues identified

### **4.0 Equality Issues**

4.1 Matter considered and no issues identified

### **5.0 Community Safety issues (Section 17)**

5.1 Matter considered and no issues identified

### **6.0 Human Rights Issues**

6.1 Matter considered and no issues identified.

### **7.0 Financial Implications**

7.1 Matter considered and no issues identified

### **8.0 Legal Implications**

8.1 The legal position is addressed in the body of the report.

### **9.0 Consultations**

9.1 (A) Matter considered and no issues identified  
(B) Matter considered and no issues identified

### **10.0 Risk assessment**

10.1 Matter considered and no issues identified

### **11.0 Health & Safety Issues**

11.1 Matter considered and no issues identified

**12.0 Procurement Strategy**

12.1 Matter considered and no issues identified

**13.0 Partnership working**

13.1 Matter considered and no issues identified.