

WYRE FOREST DISTRICT COUNCIL**ETHICS AND STANDARDS COMMITTEE****31ST MARCH 2009****The Standards Committee (Further Provisions) Regulations 2009**

OPEN	
RESPONSIBLE OFFICER:	Monitoring Officer
CONTACT OFFICER:	Mrs C S Newlands Ext. 2715
APPENDICES	None

1. PURPOSE OF REPORT

- 1.1 To inform Members of the Committee about draft regulations that are being prepared which will allow the Standards Board to suspend the initial assessment functions of an authority and enable it to establish a joint standards committee.

2. RECOMMENDATION

- 2.1. **The Ethics and Standards Committee is asked to note the forthcoming regulations relating to the establishment of a joint standards committee and to make appropriate arrangements once the regulations are finalised.**

3. BACKGROUND

- 3.1 The Standards Board for England alluded to the drafting of the Standards Committee (Further Provisions) Regulations 2009 last year in Bulletins 37 and 41.
- 3.2. This legislation will allow Joint Standards Committees to deal with all or any functions of a standards committee but there can be no concurrent functions.
- 3.3. Apart from allowing authorities to establish joint standards committees it also allows for amendment of the powers of standards committees to grant dispensations to members who would otherwise be unable to take part in authority business owing to having a prejudicial interest.
- 3.4. It is anticipated that the regulations will come into force during May 2009.

4. KEY ISSUES

- 4.1 The Monitoring Officer has already been in consultation with partnership authorities regarding the principle of establishing a joint standards committee should the need arise.
- 4.2. It would be necessary to establish new terms of reference for a joint committee which would include the following:
- The functions of the committee
 - The administrative arrangements

- Where written allegations should be received for each authority involved in the arrangements
- The number of members and their terms of office
- An agreement on any allowances
- Arrangements on how to withdraw from the joint arrangement.

5. FINANCIAL IMPLICATIONS

- 5.1 The financial arrangements are would be shared as agreed by the authorities involved and any default of agreement will be decided by an arbitrator appointed by them.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1. Guidance will be produced by the Standards board on joint standards committees which will include constitution or terms of reference and incorporate a template for the information required by the regulations.

7. RISK MANAGEMENT

- 7.1 One of the main risks for Standards Committees is attracting sufficient numbers of independent members. Section 187 (which amended Section 53(4) of the Local Government Act 2000 requires Standards Committees to be chaired by Independent Members. Section 57B of the Local Government Act also requires Councils to have an Independent Member chairing each of its local determination sub committees. If a standards investigation involved a dual hated Member it would be beneficial to look at the possibility of a joint standards committee.

8. CONCLUSION

- 8.1 More details and scoping of standards committees will be available from the Standards Board for England and a further report will be brought for consideration by the Committee.

9. CONSULTEES

- 9.1 Chairman and Vice-Chairman of the Ethics and Standards Committee.

10. BACKGROUND PAPERS

- 10.1 Standards Committee (England) Regulations 2008
10.2. Local Government Act 2000
10.3. Standards Board Bulletin 37
10.4. Standards Board Bulletin 41