

**APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES
(Report by the Head of Law, Property and Governance
and Monitoring Officer)**

1. INTRODUCTION

- 1.1 In January 2002, the Standards Committee considered arrangements for the discharge of the Committee's functions in relation to Parish Councils and their Members in Huntingdonshire. At that time, the Council consulted Parish Councils (as required by the legislation) on proposals not to appoint a Sub-Committee to deal specifically with parish matters but to include, instead, one Member representative from the Parish Councils on the Standards Committee, nominated by the Cambridgeshire Association of Local Councils (CALC).
- 1.2 Having taken account of the response received, the Committee recommended that one Member of a Town or Parish Council be appointed to serve on the Standards Committee after consultation with CALC (Huntingdonshire Branch).
- 1.3 Since then, the Council has continued to approach CALC and its successor, the Cambridgeshire and Peterborough Association of Local Councils for nominations to any vacancy which has arisen in Town and Parish Council representation.
- 1.4 The Committee may recall that Mr M Reece resigned as a Councillor on the Offords Parish Council last November. As Mr Reece was no longer eligible to serve on the Committee, CPALC were invited to nominate a replacement for Mr Reece for the remainder of his four year term which is due to conclude in May 2011. CPALC have been approached on two occasions but have yet to respond.

2. LEGISLATIVE BACKGROUND AND THE ROLE OF PARISH REPRESENTATIVES

- 2.1 Paragraph 4 (2) of the Standards Committee (England) Regulations 2008 states that, "where an authority is a responsible authority, it must ensure that at least two members of the standards committee are members of parish councils for which it is responsible, who are not also members of the responsible authority."
- 2.2 Paragraph 7 (4) of the same Regulations states that "where a meeting of a Standards Committee, or Sub-Committee of a Standards Committee, is convened to discharge any function specified..... relating to a member or former member of the Parish Council, no decision may be taken unless at least one member of a parish council for which the authority is the responsible authority, is present when such matters are being considered."
- 2.3 Parish representatives can be involved in any case being considered by the Standards Committee. However, the 2008 Regulations make it a requirement that any sub-committee or standards committee meeting that makes any decision on a case concerning a parish councillor has to have a parish representative.

- 2.4 Having the parish representative on cases about parish or town councillors ensures that the standards committee has a member with experience and understanding of local councils. They also bring with them knowledge about local issues which is helpful when assessing parish cases.
- 2.5 Although the legislation states that a standards committee of a responsible authority must have at least two members that are parish councillors, Standards for England recommends they have three and that at least two are from different parish councils.

3. WHY IS IT IMPORTANT TO HAVE THREE PARISH REPRESENTATIVES?

- 3.1 Having three parish representatives on a standards committee of an authority will ensure that cases concerning parishes can be considered and dealt with in a timely manner. It ensures that there are sufficient parish representatives to hear a case at all stages; even in the instance where one of the representatives is conflicted out, sick, on leave or otherwise unavailable.
- 3.2 At various stages since January 2002 the Council has recognised the importance of flexibility and to ease the burden placed on the existing Parish Councillor, in the first instance, increased town and parish council representation from one to two and latterly from two to three representatives to meet the requirements arising from the transfer of responsibility for initial assessment of member misconduct to local authorities.

4. CONCLUSION

- 4.1 Whilst it is for the District Council to decide how to recruit and appoint parish or town council representatives, it is important that those representatives should have the trust of town and parish councils in the authority's area and therefore that they should be involved in the selection procedure.
- 4.2 Although it has previously been convenient to seek nominations to vacancies in town and parish council representation from CPALC clearly this approach appears no longer to be as effective as originally was the case. It is also believed that there is concern that CPALC is no longer as representative of town and parish councils as previously. Members may wish to invite the views of the existing representatives on the Committee in this respect.
- 4.3 The Council has to demonstrate that it is appointing town and parish council representatives to its standards committee in a fair and open way and subject to the views of the committee, it is proposed that, in future, nominations be invited directly from town and parish councils themselves.
- 4.4 However, this has some practical implications. Should the Committee be minded to support this new approach, it is suggested that parish councillors wishing to express an interest should do so, in writing, to the Monitoring Officer and include a brief statement in support of their application (perhaps 250 words). The Chairman and Vice-Chairman, the Monitoring Officer and perhaps an existing Parish Council

representative could be authorised by the Committee to make the final selection. Members are reminded that a small allowance of £243 per annum is currently payable and that any training/travelling costs incurred in attending meetings of the Committee and training events would be met by the District Council.

4.5 The views of the Committee are invited.

BACKGROUND PAPERS

Minutes of the Standards Committee - January 2002.

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