

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016 – 2017

COUNCIL

11TH JANUARY, 2017

**REPORT OF THE DIRECTOR LEGAL &
DEMOCRATIC SERVICES**

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| Agenda Item No. | 11 |
| APPOINTMENT OF NEW INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE | |

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1. PURPOSE OF THE REPORT

This Report sets out the process to be undertaken to fill an Independent member vacancy that has arisen on the Council's Standards Committee following the resignation of Mr. G. Smith. There is also a recommendation within the report for the appointment of a reserve Independent member to the Standards Committee.

2. RECOMMENDATIONS

It is recommended that Council:

- 2.1 Approve the appointment of a reserve Independent member of the Standards Committee;
- 2.2 Establishes an Appointments Panel to consider applications for the appointment of an Independent Member (and if agreed at paragraph 2.1 above, the appointment of a reserve Independent member) of the Standards Committee for a term of six years;
- 2.3 Nominates 3 (three) County Borough Councillors to be Members of the Appointments Panel;
- 2.4 Delegates authority to the Director, Legal & Democratic Services to appoint a Community Councillor and an Independent (lay) Member to the Appointments Panel; and
- 2.5 That the Director, Legal and Democratic Services proceeds with advertisement in respect of the appointment of the Independent Member vacancy (and if agreed at paragraph 2.1 above, the reserve Independent member) based on the established criteria.

3. BACKGROUND

- 3.1 The Standards Committee currently comprises five members. There are three Independent members, two County Borough Councillors and one Community Councillor.
- 3.2 One of the Independent members, Mr. Guy Smith, resigned from the Committee on 1st December 2016 as a result of a conflict which arose through new employment and meant he became disqualified under the relevant legislation from continuing in the role. It is therefore necessary to consider the appointment of a new Independent member to the resultant vacancy.
- 3.3 At the same time it is recommended Council gives consideration as to whether or not it wishes to appoint a *reserve* Independent member who would be able to be invited to attend a Standards Committee meeting in the absence of any of the three appointed Independent members. It is proposed they be subject to the same appointment process and, of course, would be subject to the same governing regulations as outlined below.
- 3.4 The Standards Committees (Wales) Regulations 2001 prescribe the procedure for the appointment of Independent Members. The vacancies must be published in not less than two newspapers circulating in the area, the advertisement must set out the criteria established for the appointment of Independent Members and a panel of not more than five members including an Independent (lay) Member must consider applications. The Panel must apply established criteria and make recommendations in respect of appointments to the Council, who shall have regard to the recommendations.
- 3.5 The Panels set up on previous occasions to appoint Independent Members to the Standards Committee have comprised three County Borough Members (i.e. two from the ruling Group and one from the largest opposition Group), one Community Councillor and an Independent (lay) Member (from the Standards Committee). The criteria established in respect of the appointment of Independent members is:
- Members must be 'independent' as defined by the Standards Committees (Wales) Regulations 2001 and not disqualified by those regulations nor by Section 80 of the Local Government Act 1972.
 - They must be entitled to be included in the electoral register for the County Borough Council.
 - They must be a respected member of the community within the County Borough area and have experience relevant to the Standards Committee's work.
 - Applicants must be totally independent of politics.
- 3.6 Independent Members of the Standards Committee are appointed for a period of six years.

**LOCAL GOVERNMENT ACT 1972
as amended by
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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LIST OF BACKGROUND PAPERS

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REPORT OFFICER TO CONTACT

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